

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, 9th August, 1939

The House met in the Legislative Council Chamber, Fort St. George, at eleven of the clock, Mr. President (THE HON. DR. U. RAMA RAO) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

* 13 Q.—SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—“ This question has been already answered, Sir; therefore, I do not put it now.”

Sale of coffee husk and adulteration of coffee.

* 14 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Public Health be pleased to refer to the answer given to my question No. 214 on 25th March 1939, and to state—

(a) whether the Government have enquired and ascertained (i) if there is extensive sale in this Province of husk from coffee produced in this Province and Coorg, and (ii) if it is used for adulterating coffee;

(b) if so, what the result of the enquiry is; and

(c) whether Government have in view any legislation to stop the sale of coffee husk and adulteration of genuine coffee therewith?

THE HON. DR. T. S. S. RAJAN:—“(a) & (b) No enquiry has been made on the points referred to.

“(c) No proposal for legislation to stop the sale of coffee husk is under consideration. As the adulteration of coffee with coffee husk is prohibited by rules framed under the Madras Prevention of Adulteration Act, no legislation appears necessary.”

MR. J. A. SALDANHA:—“ May I know whether the Government enquired into the reason why the evil is spreading? If there is the evil, I am afraid there will be much mischief done; I want to know whether Government have made the necessary enquiries, and if not, why not.”

THE HON. DR. T. S. S. RAJAN:—“ The question is not whether the Government have made enquiries or not; the question is whether the Government have made any legislative provision to deal with the evil. The Government have

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already made provision according to the Prevention of Adulteration Act. I really do not understand what the hon. Member wants, Sir."

Amendment of Indian Lepers Act and relief to lepers.

* 15 Q.—MR. J. A. SALDANHA: With reference to the answer given to my question No. 287 on 15th May 1939, will the Hon. the Minister for Public Health be pleased to state—

(a) whether the Indian Lepers Act is proposed to be amended to give relief to lepers and control the nuisance and danger arising from their loitering in public places and contact with other people; and

(b) when legislation may be expected in this direction?

THE HON. DR. T. S. S. RAJAN:—“(a) The answer is in the negative.

“(b) In view of the answer to clause (a) this does not arise.”

Development of the coir industry.

* 16 Q.—MR. J. A. SALDANHA: With reference to the answer given to my question No. 237 on 11th May 1939, will the Hon. the Minister for Industries and Labour be pleased to state what steps have been taken by the Government for demonstration of improved methods of coir making in South Kanara and in other districts with large coconut plantations?

THE HON. SRI V. V. GIRI:—“The Government recently considered a proposal for the constitution of a coir demonstration party for employment in North Malabar or South Kanara. It had to be deferred for want of funds.”

MR. J. A. SALDANHA:—“May I enquire, Sir, whether the Government will find funds at an early date to extend it to Malabar and South Kanara which have large coconut plantations?”

THE HON. SRI V. V. GIRI:—“I hope so.”

Extension of the system of manual training and kindergarten in schools.

* 17 Q.—MR. J. A. SALDANHA: With reference to the answer to the supplementary question under question No. 253 answered on 12th May 1939, will the Hon. the Minister for Education be pleased to state—

(a) whether the present system of manual training and kindergarten is to be extended and developed and adopted compulsorily in all classes as supplementary to the literary courses, if not, as primary to them; and

(b) what provision is made or is to be made for funds to meet the expenditure for the purpose?

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THE HON. SRI C. J. VARKEY:—“(a) The revised syllabuses for elementary schools provide for the teaching of handicrafts in these schools.

“(b) Provision will be made, if funds permit, to meet the expenditure involved.”

MR. J. A. SALDANHA:—“May I enquire what the amount provided for the remaining period of the year is?”

THE HON. SRI C. J. VARKEY:—“This year the amount we are going to provide is Rs. 6,000 for two training schools.”

Recognition by the Government of the titles given by the Indian National Congress.

* 18 Q.—SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR: Will the Hon. the Prime Minister be pleased to state—

(a) whether the Government recognized officially the titles conferred upon certain individuals by the Congress; and

(b) if so, whether the Government will place on the table details of such titles in their order of merit?

THE HON. SRI C. RAJAGOPALACHARIAR:—“(a) The Government do not recognize any titles as such, but cannot disregard obvious facts or names and expressions of regard and respect universally recognized or sometimes even big titles assumed or used by certain persons as part of their own or their friends' names.

“(b) Does not arise.”

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—“I am not able clearly to understand the meaning of the answer.”

THE HON. SRI C. RAJAGOPALACHARIAR:—“I have tried to answer a very difficult and delicate question as clearly as possible. I will read it again, and I am sure the meaning will be clear. (a) The Government do not recognize any titles as such, but cannot disregard obvious facts or names and expressions of regard and respect universally recognized or sometimes even big titles assumed or used by certain persons as part of their own or their friends' names.”

“(b) Does not arise.”

SRI A. RANGASWAMI AYYANGAR:—“May I ask whether the Government are aware of the fact that ‘Mudaliyar’ itself originated as a title and has now become part of the regular name?”

THE HON. SRI C. RAJAGOPALACHARIAR:—“Yes, Sir; as much as ‘Ayyangar’ and ‘Chariar.’” (Laughter)

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SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—
“ May I ask whether ‘ Sardar ’ was recognized by the Govern-
ment? ”

THE HON. SRI C. RAJAGOPALACHARIAR:—“ ‘ Sardar ’
falls under the class which I referred to as ‘ expressions of
regard and respect universally recognized ’ in the country.”

*Expenditure for Revenue Divisional offices and proposal,
if any, to abolish them.*

* 19 Q.—SRI P. VEERABHADRASWAMI: Will the Hon.
the Minister for Revenue be pleased to state—

(a) what the total expenditure incurred by the Government
is for all the Revenue Divisional offices in the Presidency in 1938-
39; and

(b) whether there is any proposal to abolish these offices?

THE HON. SRI T. PRAKASAM:—“ (a) The Budget Estimate
and the Revised Estimate for 1938-39 are given below:—

		Budget estimate.	Revised estimate.
		RS.	RS.
Charged		5,28,000	4,69,000
Voted		14,22,300	15,06,200
Total ..		19,50,300	19,75,200

“ The actual expenditure for that year is not yet available.

“ (b) There is no such proposal.”

*Patients thrown out of the Tirumani Leper Settlement and
other leper asylums and provisions for housing them.*

* 20 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister
for Public Health be pleased to refer to the answer given to my
question No. 248 on 12th May 1939 and to state—

(a) whether the Government can now give the approximate
number of the leper patients thrown out of the Tirumani Leper
Settlement and leper asylums aided by the Government as a result
of the action taken on G.O. Ms. No. 4535, P.H., dated 19th
December 1938;

(b) whether the Government have ascertained if any charita-
ble institutions have undertaken to house and care for such
thrown-out patients;

(c) if so, which of them and to what extent such offers have
been made; and

(d) whether the Government are prepared to give grant-in-
aid to such agencies?

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THE HON. DR. T. S. S. RAJAN:—“(a) Two hundred and eighty.

“(b) & (c) Government have ascertained that no charitable institution is prepared to house and care for these patients except the Roman Catholic Mission, which is prepared to house the patients discharged from the Leper Hospital, Kumbakonam, on payment of grant by the Government for their maintenance.

“(d) The matter will be considered.”

MR. J. A. SALDANHA:—“May I enquire how many persons from Tirumani were thrown out? The figures given apply to all the places; I want figures for the Tirumani settlement separately.”

THE HON. DR. T. S. S. RAJAN:—“This is for the whole Province, Sir. For the whole Province, the number is 280.”

MR. J. A. SALDANHA:—“What is the number in the case of the Tirumani settlement alone?”

THE HON. DR. T. S. S. RAJAN:—“If the hon. Member will please put a separate question to that effect with due notice, I shall answer it.”

Dumping of Ceylon coconuts in the Presidency.

* 21 Q.—**SRI RAO BAHADUR M. RAMAN:** Will the Hon. the Minister for Industries and Labour be pleased to state whether the Government contemplate taking any measures to stop or reduce the dumping of Ceylon coconuts into this Province and particularly into Malabar?

THE HON. SRI V. V. GIRI:—“The matter is under correspondence with the Government of India.”

SRI T. C. SRINIVASA AYYANGAR:—“Will the Hon. Minister be pleased to state what is the extent of the interest in coconut plantations which the South Indians possess in Ceylon, and its value?”

THE HON. SRI V. V. GIRI:—“If the hon. Member puts another question separately, I shall answer.”

Alleged change of school text-books by the President, Tanjore District Board, before the prescribed period.

* 22 Q.—**SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:** Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the President of the Tanjore District Board changed text-books prescribed for board high schools in June 1939 and circularized the headmasters to adopt

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the new books before the expiry of the five years' period fixed by the Government;

(b) if so, what the reasons adduced are for this change, whether the headmasters were consulted about the necessity for this change and whether the approval of the District Educational Officer was obtained before issuing the circular as required by the rules; and

(c) when the text-books were prescribed last?

THE HON. SRI C. J. VARKEY:—“(a) to (c) The Government have no information of the change of books referred to. The assumption that a change of text-books within five years of their introduction is not permissible is not correct. The existing rules are to the effect that there should normally be no change of books within two years of their introduction.”

Alleged theft of cash from Omalur Police station, Salem district, and steps taken to detect the culprit.

* 23 Q.—SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR: Will the Hon. the Prime Minister be pleased to state—

(a) whether it is a fact that a sum of Rs. 1,500 was stolen from the Omalur Police station, Salem district;

(b) if so, when and under what circumstances;

(c) what action has been taken for detecting the theft; and

(d) what are the names of the Sub-Inspector and Circle Inspector who were in that station when the amount was stolen and whether they are still in that station?

THE HON. SRI C. RAJAGOPALACHARIAR:—“(a) to (c)

The Sub-Inspector of the Omalur Police station cashed the pay cheque of Omalur Circle at 4-30 p.m. on the 7th July 1939. He was in the station till 8 p.m. disbursing cash and had disbursed about Rs. 780-12-5. He placed the rest of the money along with the permanent advance of the station in the cash chest in the station-house officer's room and, after locking the room, proceeded to an adjoining village on duty. During the night, the room was broken open and the cash chest with Rs. 1,158-8-7 was stolen. The case is under investigation.

“(d) The report of the Inspector-General of Police shows that everything possible is being done for the detection of the crime as well as the punishment of officials guilty of any neglect. The Government do not propose to start a new precedent of naming officials in the manner suggested. As

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regards the suggestion that the Inspector and Sub-Inspector may be transferred, it may possibly help the thieves if this is done, but the Inspector-General of Police knows his work."

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"May I know whether anybody has been placed under suspension on this account?"

THE HON. SRI C. RAJAGOPALACHARIAR:—"I have answered the question under 'transfer.' I do not think that anybody has been placed under suspension, because, as I have already said, it will greatly help the thieves if the men who know the facts are moved from the place."

Measures, if any, for checking the evil arising from lotteries and prize competitions.

* 24 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Law be pleased to refer to the answers given to my questions Nos. 4 and 5 on the 15th August 1938 and to state—

(a) whether the Government have enquired and found the extent of evil arising from lotteries and prize competitions so great as to need legislation to check the evil; and

(b) if so, when a Bill will be brought before the Legislature for the purpose?

THE HON. DR. P. SUBBARAYAN:—" (a) & (b) No enquiry was made in the matter; but the Government are aware that the evil exists. Necessary legislation will be undertaken as early as possible."

Alleged cancellation before the due date of the licence granted to the Venkatesa Touring Talkies, Tiruturaipundi.

* 25 Q.—SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR: Will the Hon. the Minister for Law be pleased to state—

(a) whether it is a fact that the District Magistrate of Tanjore cancelled the licence issued to the Venkatesa Touring Talkies, Tiruturaipundi, in the month of May 1939 even before the expiry of the period for which the licence was granted;

(b) what the reasons are for the cancellation of the licence;

(c) whether the licence was cancelled on receipt of any complaint;

(d) if so, who the complainant is and to whom the complaint was preferred;

(e) whether any enquiry was made to ascertain the truth or otherwise of the complaint;

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(f) whether any appeal was preferred to the Government by or on behalf of the proprietor of the Venkatesa Touring Talkies; and

(g) whether the Government will place on the table the complaint received, if any, the appeal petition of the proprietor of the said Venkatesa Touring Talkies and the orders passed thereon?

THE HON. DR. P. SUBBARAYAN:—“(a), (c) & (e) The answer is in the affirmative.

“(b) The licence was cancelled as Tiruturaipundi is a small place where there is a permanent cinema and as the continuance of a second cinema there might produce unhealthy competition.

“(d) The complainant was the proprietor of the Sundaram Talkies, Tiruturaipundi, and the complaint was preferred to the Government.

“(f) A petition was sent to the Government on behalf of the proprietor of the Venkatesa Touring Talkies.

“(g) The Government do not consider that any useful purpose would be served by placing these papers on the table of the House.”

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—“May I ask the Hon. Minister whether the Government made any enquiry before they ordered the cancellation of the licence?”

THE HON. DR. P. SUBBARAYAN:—“No, Sir; I have said in the answer that a single cinema would be sufficient for a place like Tiruturaipundi.”

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—“May I know whether the Hon. Minister visited Tiruturaipundi recently?”

THE HON. DR. P. SUBBARAYAN:—“As far as I am aware, not very recently, Sir; I think I went there about three months ago.”

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—“May I ask whether the cancellation was ordered by the Hon. Minister when he came to Tiruturaipundi or afterwards?”

THE HON. DR. P. SUBBARAYAN:—“I am not sure of the exact date, but I believe it was long before I visited the place.”

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—“May I know whether there was any black flag demonstration when the Hon. Minister came to Tiruturaipundi?”

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MR. PRESIDENT:—"That is not a supplementary question."

THE HON. DR. P. SUBBARAYAN:—"I said then that I did not object to such black-flag demonstration."

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"May I know whether the cancellation had anything to do with the black-flag demonstration?"

THE HON. DR. P. SUBBARAYAN:—"I think the hon. Member must know better; because perhaps he was himself responsible for the black-flag demonstration. (Laughter) I am afraid he is mistaken there, because I said that even then I did not mind the black-flag demonstration."

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"I may state that I was in Madras when the Hon. Minister visited the place and that I had no hand in the black-flag demonstration." 11-15 a.m.

MR. PRESIDENT:—"The hon. Member has no right to comment upon the answer."

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"But that apart, Sir, does not the answer given by the Hon. Minister show that the cancellation was due to the prejudice of the Minister?"

THE HON. DR. P. SUBBARAYAN:—"No. I am afraid the hon. Gentleman is wrong in his presumption. I have made it clear that the black-flag demonstration had nothing to do with the cancellation."

Prevention of the import of foreign rice and paddy into South India.

* 26 Q.—SRI RAO BAHADUR M. RAMAKRISHNA REDDI: Will the Hon. the Minister for Industries and Labour be pleased to state whether the Government addressed the Government of India regarding the prevention of the import of foreign rice and paddy into Southern India; if so, when and with what result?

THE HON. SRI V. V. GIRI:—"The answer is in the affirmative. This Government have made several representations to the Government of India, the latest being in July 1939. The final result will be known when the Government of India arrive at a decision in the matter."

SRI T. C. SRINIVASA AYYANGAR:—"In view of the large number of Indians in Burma in various walks of life, will the Hon. Minister be pleased to furnish information to the House as to how far the prevention of the import of rice from Burma would act and react upon the interests of Indians there?"

THE HON. SRI V. V. GIRI:—"I must have notice of the question, Sir."

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Amendments to the rules under the Elementary Education Act for improving the status and welfare of teachers in aided schools.

* 27 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Education be pleased to refer to the answer given to my question No. 129 on 14th December 1938 and to state—

(a) whether any alterations have been found necessary in the rules under the Madras Elementary Education Act in operation in aided schools;

(b) whether the Government have had any scheme for the welfare of teachers in aided schools as in the case of teachers in local board and municipal schools under statutory rules made by the Government;

(c) if so, what the scheme is; and

(d) whether the Government propose to give the scheme a statutory basis?

THE HON. SRI C. J. VARKEY:—“(a) The rules referred to by the hon. Member have not yet been brought into force. The question of altering them can be considered only after they have been in force for some time, at least a year.

“(b) to (d) It is not clear what exactly are the statutory rules applicable to teachers in board and municipal schools which the hon. Member has in mind. If he will specify the rules, the question of making them applicable to teachers in aided schools will be considered.”

UNSTARRED QUESTIONS.

Measures for regulating working hours and for providing amenities for labourers in small workshops.

1 Q.—MR. J. A. SALDANHA: Will the Hon. the Minister for Industries and Labour be pleased to state what steps the Provincial Government have taken and propose to take for regulating the working hours and for providing the necessary amenities as to health and comforts in small workshops and cottage industries?

A.—The Government have notified groundnut decorticating factories, beedi factories and match factories as factories under section 5 (1) of the Factories Act. The question of notifying more small factories will be considered later.

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Salaries and allowances of officers in the Territorial Force in the Province.

2 Q.—MR. J. A. SALDANHA: With reference to the answer given to my question No. 288 of 15th May 1939, will the Hon. the Prime Minister be pleased to place before the House a statement showing the salaries and allowances sanctioned for the officers of the several Territorial Forces in this Province?

A.—A statement ^a is laid on the table of the House.

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—HOUSE COMMITTEE.

MR. PRESIDENT:—“ I have to announce to the House that the following candidates have been nominated for election to the House Committee:—

- 1 Sri Medai Dalavoi Kumaraswami Mudaliyar
- 2 Sri L. Subbarama Reddi
- 3 Sri Rao Bahadur M. Raman
- 4 Sri M. Narayana Menon
- 5 Sri V. Ganga Raju, and
- 6 Mr. J. A. Saldanha.

As the number of candidates nominated is equal to the number of vacancies to be filled, viz., six, I hereby declare them to have been duly elected to the House Committee.

“ In addition to the above, under rule 143 of the Madras Council Rules, I nominate the following two Members to be Members of the said Committee:—

- 1 Mrs. Mona Hensman and
- 2 Sir Frank Birley.”

III.—GOVERNMENT BILLS.

- (1) THE MADRAS CO-OPERATIVE LAND MORTGAGE BANKS (AMENDMENT) BILL, 1939, AS PASSED BY THE ASSEMBLY.

THE HON. SRI V. V. GIRI:—“ Sir, I beg to move—

‘ that the Bill^b further to amend the Madras Co-operative Land Mortgage Banks Act, 1934, for a certain purpose, as passed by the Assembly, be taken into consideration at once.’

“ I do not desire to take up the time of the House by narrating what has been already stated in the Statement of Objects and Reasons attached to the Bill. The Bill is intended mainly to

^a Printed as Appendix I on page 164 infra.

^b Printed as Appendix I on pages 165–167 infra.

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facilitate the disposal of applications for loans made to the primary land mortgage banks. The difficulties of the applicants and the remedy proposed are mentioned in the Statement of Objects and Reasons. I am sure the House will accept this motion."

* SRI RAO BAHADUR M. RAMAKRISHNA REDDI:—" May I ask the Hon. Minister for some information? It is said that 'such officers of the co-operative banks as are authorized by the Government in this behalf can compel the creditors to produce the necessary documents in their possession.' In that case, may I know whether they are going to pay travelling allowance to the people who have to produce the documents, and, if so, whether the banks will bear that expenditure or the applicants who ask for loans have to bear it? "

THE HON. SRI V. V. GIRI:—" I do not know the position exactly; but I take it that if they are summoned, they will be paid their fare."

SRI RAO BAHADUR M. RAMAKRISHNA REDDI:—" By whom? "

THE HON. SRI V. V. GIRI:—" Most probably at the instance of the applicants."

The motion was put and carried and the Bill was taken into consideration.

Clause 2 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. SRI V. V. GIRI:—" Sir, I move—

'that the Bill be passed into law.'"

The motion was put and carried and the Bill was passed into law.

(2) THE MADRAS COMMERCIAL CROPS MARKETS (AMENDMENT)
BILL, 1939, AS PASSED BY THE ASSEMBLY.

* THE HON. SRI V. I. MUNISWAMI PILLAI:—" Sir, I beg to move—

'that the Bill^a further to amend the Madras Commercial Crops Markets Act, 1933, for certain purposes, as passed by the Assembly, be taken into consideration at once.'

" Clause 3.—In the original Act, there is a provision that among others four persons can be elected by the licensees. But, now, the Government think it advisable to enlarge the electorate

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by including besides these licensees, the buyers, sellers and buyers and sellers of cotton.

“ Clause 4.—The Committee gets information at present from Bombay by paying Rs. 7-12-0 per day. But if the society gets itself registered it can get the information by paying Rs. 5-4-0 per day gaining something like Rs. 875 per annum. So under clause 4 we are enacting that the society can get registered as a news agency.

“ Clause 5.—The existing Act provides for expenditure for establishing and regulating markets. The present Bill seeks power for expenditure on cultural improvements. But the Government are taking power to see that the expenditure is controlled. We have also made provision not to disturb the term of office of the existing members due to the enlargement of the electorate brought about by clause 3.

“ With these few words I request the House to accept my motion.”

The motion was put and carried and the Bill was taken into consideration.

Clauses 2, 3, 4, 5, 6 and 7 were put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

* THE HON. SRI V. I. MUNISWAMI PILLAI:—“ I move—
‘ that the Bill be passed into law.’ ”

The motion was put and carried and the Bill was passed into law.

(3) THE MADRAS CITY MUNICIPAL (AMENDMENT) BILL, 1939, AS
PASSED BY THE ASSEMBLY.

THE HON. SRI B. GOPALA REDDI:—“ Mr. President, I beg to move—

‘ that the Bill^a further to amend the Madras City Municipal Act, 1919, for a certain purpose, as passed by the Assembly, be taken into consideration at once.’

“ Sir, the contents of the Bill have been before the House for a long time and we had a long discussion of the measure in the Assembly. The Bill seeks to introduce simultaneous elections in all the wards of the City Corporation. Under the present system 15 seats fall vacant every year and elections are held annually. This system of annual elections disturbs the administration of the

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Corporation. Bombay, Calcutta and Karachi have the system of simultaneous elections once in three, four or five years. In Madras also we want to introduce that system.

“ In this connexion I may inform the House that we have undertaken this legislation at the instance of the Corporation itself. A resolution to have simultaneous elections for the Corporation was passed by that body, 28 members voting for it and 9 against. Four members remained neutral. Out of the 28 members who voted for the proposition 7 were non-Congress councillors.

“ The next thing to be noted in this connexion is that when we accept the principle of simultaneous elections we have to postpone this year's elections to some other date. We have taken 1940 as the year for the next elections because the councillors who were elected in 1938 should not be asked to face the electorate within that time. In the case of people who were elected in 1936, they will get one year added to their normal life as councillors. These are the consequences of the amending Bill. I hope the House will accept my motion.”

* SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—
“ Sir, I rise to oppose this motion. The Hon. Minister told the House that he brought forward the Bill as per the recommendation of the Corporation. He gave also the number of persons who voted for the resolution of the Corporation, to show that it was not the Congress councillors only that voted for the resolution. I should like to quote a few passages from the proceedings of that meeting of the Corporation at which this resolution was adopted.

11-30
a.m.

“ Sir, the resolution reads thus: ‘ That this Council resolves to request the Government to suitably amend the Madras City Municipal Act IV of 1919, so as to provide for simultaneous elections to all the divisions of the City once in three years and further requests the Government to give effect to this from 1941.’

“ In moving that resolution, Mr. Satyamurti, the Leader of the Congress Party stated that this form of election was there only for one or two years; but it was contradicted by the other side who stated that this mode of election was there from the year 1919 and subsequently Mr. Satyamurti has himself accepted that correction.

“ Mr. Basu Dev in opposing that resolution stated: ‘ Sir, if to-day Mr. Satyamurti and his party want to know what the public think of them and their policy, I do not want them to wait till 1941. To-day I throw a challenge to them that we on this side will resign our seats; let them also all resign their seats and let there be a general election held for all the 40 divisions to-day. Why wait till 1941?’

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“ Mr. Damodara Nayudu said :

‘ The real reason for his awakening is the reverses which the Congress Party suffered in the City Municipal elections in the early part of 1938 and the latter part of 1938. Mr. Satyamurti now thinks that if these elections are postponed in the years 1939 and 1940, his party will continue to have a majority and that he can rule the roost as he has been now doing. Otherwise I cannot understand why the Congress Party should bring in a resolution at a special meeting when the same was defeated last month. He now wants to snatch a vote.’

“ It was pointed out that it was not defeated ‘ last time,’ and that leave was not granted to move it.

“ I shall now read the statement of Mr. Satyamurti, the Leader of the Congress Party in the Corporation Council :

‘ I am not in the confidence of the Madras Government as Mr. Damodaram Nayudu seems to be. Therefore I cannot say what the Government will or will not do. But I will say this: this Council is voting for this resolution, and not voting for what is in the mind of the Government. We are asking, in this resolution, for elections being held only in 1941 simultaneously for all the divisions. Let there be no mistake about that.

“ And the voting would have been based only on the statement of the Leader of the Congress Party who is no other than Mr. Satyamurti Ayyar.

“ The Hon. the Minister for Local Administration did not give any reason for advancing the election to 1940. If they really want to hold triennial elections, why not they accept the suggestion made in the Corporation Council? I now make the offer to the Hon. Minister to conduct the elections for all the seats in this year in November 1939, or if he thinks it is too early, at least in January 1940. Sir, after reading a speech of the Hon. Minister for Local Administration, said to have been made in one of the Northern districts ‘ that the decision for abolishing the Chirala Municipality is not based on anything connected with the mal-administration or anything connected with the finances of that municipality,’ but solely on political grounds and after hearing his statement on the floor of the House that he cannot forget that he is a party man first and Minister second, am I not justified if I say that this piece of legislation is intended solely with the desire to save his party men from defeat this year and try his chance next year. I can assure him that even if they go to the polls next year they are not going to fare better than this year. However, if the party in power really wants to follow the democratic principle, the Minister must accept the challenge thrown out by the Opposition in the Corporation Council by allowing the elections to be conducted this year or to conduct the elections this year and allow the new Act to come into force from the year 1941 as the Leader of the Congress Party stated in the Corporation Council. If you state that the general election will be held in the year 1940 and conduct the election this year, and

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if a person comes forward to contest this election, he is taking a risk. Why do you want to consider the convenience or inconvenience of the candidates who are going to contest the election with eyes open? On the other hand, if the Government's intention is really that they should not penalize the members who were elected last year, I do not ask them to do it. But conduct the election this year with a clear notice to them that the election according to the principle of triennial elections will be conducted in 1941. Therefore, if I say that this legislation is simply intended to protect the few councillors of the Congress Party from facing a defeat in the election, I will not be wrong. I hope that the House will not agree to this motion."

* SRI K. MADHAVA MENON:—"I am not surprised, Sir, at the motive attributed to the Government for this resolution by the Leader of the Opposition. Everything seems yellow to the jaundiced eye. The Justice Party has not done anything without a motive, whether personal or party motive and they cannot see anything else in others. If they do even a good thing, they will find a motive behind it. Yes, Sir, the motive behind is proper continuity, proper administration. Having elections every year—I have been in local bodies for the last 16 years and at the time also when there were these annual elections in municipal councils—upsets the entire administration. It makes every year always exciting and normal activities are put a stop to. The Leader of the Opposition has thrown out a challenge that even after this is done the Congress will not win, that they will win. All right, you have a better chance of getting an absolute majority. You fight in 1940, get a majority and you need not be afraid of these 15 councillors changing after that. Why should he attack the Government for having advanced the time of election by one year? Why not they fight and succeed in 1940? You say, or insinuate, that the Congress has a majority now and that the Congress wants to continue that majority for one year till 1940 and that that is the reason for this resolution. Why do you want one year's life more by asking to postpone the elections to 1941? I really cannot see any reason behind it. 'It is bad', everything done by the Congress is bad for the Leader of the Opposition. That is the only ground for opposition to the resolution that I can understand. The abolition of this system will certainly help the continuity of the administration and any party, the party to which the Leader of the Opposition belongs or the party to which I have the honour to belong, can do anything and get a secure tenure of three years."

* SRI K. VENKATASWAMI NAYUDU:—"Mr. President, this system of simultaneous elections exists everywhere—throughout the country and throughout the world. In all other municipal Corporations annual elections have been abolished. In all the

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municipalities and local boards also, Sir, you have got these simultaneous elections. And it is only in our Corporation that we find this old system, a thing not felt to-day or yesterday but years together. And it is only by having simultaneous elections that we can have a good administration. It is not like the Assembly, Sir, where it is run on a party system, where you can dissolve it when the House does not have a majority. Sir, at least three years' time must be given to see that the council shows a new policy. Every year you are asked to face elections and there is the possibility that the councillor may say, 'This is my election year, do not have this or that.' And every year this rotation of these elections is going on. As we have found this system of triennial elections successful in every local body we can try it in the Madras Corporation also.

"Then, Sir, my friend Mr. Samiappa Mudaliyar said that there are political reasons behind this Bill. Mr. Madhava Menon, the Chairman of the Calicut Municipal Council, said that between 1939 and 1940 there is not much difference. There is no political motive behind this matter at all. Our friend asks, 'why not have it this year itself?' But I ask, 'Is it fair to ask the member to face an election, when he was elected last year only?' He can say, 'I was elected last year, and can this Legislature ask me in August without sufficient notice to face the elections?' In any country, Sir, elections are held simultaneously for the Assembly and the country faces the elections. It is not proper for one member there or one member here to be asked to face the elections in 1940. After all, between 1940 and 1941 there is not much difference. I think that the question of motive is not at all very important in this matter. Sir, while I am on this matter I may say that I was so surprised the other day when the Leader of the Opposition said in the other House that the resolution was a scrap of paper and it must have been thrown into the wastepaper basket and the Government had the grace of putting it as a Bill. I am surprised that an ex-Mayor should have thus slighted the Corporation Council."

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"Sir, can the hon. Member repeat a speech from the other House?"

* SRI K. VENKATASWAMI NAYUDU:—"I do not pursue it. However, I simply say it was a matter before the public, that I only wanted that this Corporation which is getting Rs. 65 lakhs per annum—an embryo Parliament—must be given the same facilities as Parliamentary institutions. The Corporation Council must be given three years to show at the end of it what good work it has done, whereupon the citizens should decide whom to send as their representatives. This reform was long due and I am glad the Government have brought this important measure just now."

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a.m.

* SRI RAO BAHADUR M. RAMAKRISHNA REDDI:—" I am sorry I should also oppose this Bill. At the outset I should like to inform the Hon. Minister that I do not attribute any motive to him for this action. I am sure he has been convinced of the principle that this measure is good. But as a thinking man I also should like to put forward my view in the matter, because this Bill attempts completely to change the present system of elections and also to postpone the elections temporarily for a period of one year or two. So I oppose it. As a person who had something to do with the administration of local bodies, I have found that if 40 or 50 members in a district board are returned in one year as a result of the elections simultaneously, it is only a very few old members who will be re-elected and they will wield a lot of influence in the district boards. As a matter of fact, a district board meeting is converted into a cabinet meeting and a few members who have been re-elected headed by the president of the district board carry on the whole administration. The newly elected members, however educated they may be, are not in a position to know the working of the boards or their own power. I am speaking of the real state of affairs which I found in my district board. I think the same thing holds good in the case of the Corporation also. If out of 40 or 50 members one-third go out every year and two-thirds remain in office, the result would be the majority of members will be able to understand the working of the Corporation and the defects. Otherwise, if all the 40 or 50 members are elected simultaneously for the first time I am afraid only those old members who have been re-elected will have some influence and be able to know about the administration, but the rest will take one or two years to understand the affairs relating to the administration of the Corporation. I do not attribute any motive to my Hon. Friend the Minister for Local Administration. I am in entire agreement with him in his desire to make a reform and to get all the new members elected simultaneously. But I should like to point out that the disadvantages outweigh the advantages in this. That is why I suggest that a certain proportion of members may be allowed to be continued in office, say about two-thirds of the members and the rest one-third may go out of office every year. Again, we are told that there is a section of people who say that a member should not continue in office for a period of three years. But some people say that they should be there. If you have the elections only in one portion of the city, now that you have got the party system working well, you can organize and conduct the elections very efficiently. If you have the elections every year, then the public will have an opportunity of finding out whether their representatives are doing their work in the Corporation well or not. After all, there is not going to be election throughout the whole city. So there will not be

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much confusion, if only some 15 seats are thrown open for election. If you have got 40 or 50 seats and if you hold the elections once in three years for all those seats, then only there will be a lot of trouble and confusion. What I say is this: there should be some old members in the council in order to guide the deliberations of the council; otherwise the Commissioner and the very few people who are re-elected will have a predominant voice in the affairs of the Corporation. I have practically no objection to postponing the elections for one year, if Government have got no motive behind it in so doing. What I ask is: 'What is the harm in continuing the same old system which has been going on for the last 17 years?' At no other time our Corporation has put forward this plea. This is the first time it has done so. If it has done so, why not ask it to reconsider its position, and then it will be time enough for them to come again before this House and ask for changing the present system. Now I think it is rather in a hasty manner that the Hon. Minister has brought forward this amending Bill.'

THE HON. SRI. B. GOPALA REDDI:—"They made their representations in January last."

* SRI RAO BAHADUR M. RAMAKRISHNA REDDI:—"Again we are told that in the Bombay and other Corporations of India we have got only periodical elections. Madras has earned the unique pride that our Premier is giving lead to other Provinces in the matter of having introduced certain other important pieces of legislation. Well, I ask why they should not also have the credit that they have their own procedure for the elections to the Corporation and why other Provinces should not take a leaf out of their book and copy it. I think there is no disadvantage in this."

* SRI B. BHEEMA RAO:—"Sir, only one principle is involved in this legislation and it is this: whether the council which has been elected should exist there for three years or we should make one-third of the members retire once in a year. That is the principle. The retirement of one-third of the members annually was tried under the District Municipalities Act, in fact by the Justice party, in 1921. Then they adopted this principle of retiring one-third of the members in the first year, one-third in the second year and the rest in the third year. Well, after trying this principle for two years the Justice party found that it greatly prevented the progress of civic affairs in our municipalities. Then they brought forward legislation to abrogate that principle. They afterwards reverted to the old system and enacted legislation that when a council has been elected, it should continue for three years. This is the principle obtaining under the District Municipalities Act. Even in the case of the premier

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City Corporation, it is better that this system of the councillors serving for three years should continue. So far as this principle is concerned, I do not think there would be any marked public opinion against it.

"There is a subsidiary question regarding which the hon. the Leader of the Opposition has attributed some motive to the Hon. Minister. I am very sorry for it. There is only one point which I wish to refer to in that connexion. The hon. the Leader of the Opposition says, 'Let all the members go out, as the Leader of the party suggested, this year.' That is the suggestion that is made. One has to consider the position of those councillors who have been elected last year. They are entitled to serve under the Act for three years. Why should they be turned out now? Let them give one more year's service to the Corporation, and let the electorate then judge whether their representatives have done good work and whether they can return them again. So, I think both on grounds of principle and expediency that proposition is unacceptable. I hope the House will support this legislation."

THE HON. SRI B. GOPALA REDDI:—"Two members have spoken against the Bill. One did not say anything about the principle of holding simultaneous elections. The other did not say anything about the postponement of this year's election, but only objected to the main principle of the Bill. As regards the principle of having rotational elections, had I been convinced of the soundness of this principle, I certainly would have retained it in the City Municipal Act. Mr. Ramakrishna Reddi has paid a tribute to the Government and the Hon. Premier for giving a lead to other Provinces and we could have had the proud privilege of having a distinct characteristic of our own so far as the administration of the Corporation is concerned by continuing the rotational system of election, had the principle now existing been favourable for the carrying on of our civic administration properly. It is not right that the majority party which has been charged with the very difficult responsibility of carrying on the administration should be put on the defence year after year. They must be in a position to formulate a policy and carry on the work for three years; and if they are allowed to do so, at the end of three years they can go to the electorate and tell them what they have been able to achieve in the course of those three years. To ask the majority party to be on the defence every year and to be attacked, not by the entire electorate, but only by a portion of the electorate, is not a wholesome principle. As far as I can see, no definite policy or programme can be placed before the electorate. If they have to go and face a general election in all the wards, they can issue an election manifesto and ask the people to give their

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verdict in the light of that manifesto. But if it is only a case of a few wards having election, it would be difficult also to issue a new election manifesto every time. I am sorry I am not convinced of the soundness of this system. As my hon. Friend Mr. Bheema Rao said, this system was tried in district municipalities for over ten years and it was given up as early as 1930 and we never had that system in the district boards. I am also sorry to hear my friend, Mr. Ramakrishna Reddi, say that only the re-elected people have some influence and new people have no influence. I do not agree with that. There may be some people who may be highly qualified and although they might have been newly elected, they may wield some influence. I am also aware of cases where new members were elected as presidents immediately and wielded enormous influence. It all depends upon the personality of the man or the way in which he understands the working of the district boards and municipalities. The simultaneous elections system is working in district boards and municipalities and so we thought we could have simultaneous elections in the case of the Corporation also. That is the reason why we have accepted the resolution of the Corporation which was passed by such an overwhelming majority and I am thankful to the hon. Member, Mr. Ramakrishna Reddi for indirectly supporting the proposal for postponement of elections also.

“As regards the postponement of the elections when once you accept the main principle that we should have simultaneous elections, it is not desirable to have the elections according to the old system in 1939 and 1940. When we are convinced of the soundness of the principle of having simultaneous elections, we must once for all give up the present system of rotational elections and not postpone it. So there is no point in passing this legislation in August 1939 and have the elections according to the old system in October of this year again. Some people may say that it is in order to give one year's extension to certain Congress councillors that we are doing it. I must repudiate that suggestion. It is not fair to those Congress councillors or to the Government to impute such motives. The Congress councillors themselves suggested that simultaneous elections should be held from 1941, but we did not accept that. Although some of the Congress and non-Congress councillors suggested that we might have this system from 1941, we did not yield to their persuasion. We stick to 1940 because without the least disturbance we can have the elections in 1940. If it is postponed to 1941, it will give five years life to members elected in 1936. There is also another point. If the elections for all the 45 divisions were to be held in 1939, the hon. Leader of the Opposition himself would have said that because nine non-Congress councillors were elected in 1938 we were bringing in this legislation to cut short their period

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of membership by two years. He would read motives into the Bill even in that contingency. In order to avoid that, we have given some time and arranged for the elections to be held next year. As Mr. Venkataswami Nayudu said, it is not fair to the electorate to ask them to go to the polls in all the 45 divisions without proper notice.

“ I may also point out, Sir, that it is not unusual to give these extensions whenever they are necessary. In the case of elections to district boards, sometimes for want of time for preparing the electoral rolls or for some other reason, many extensions have been given. I need not remind the hon. the Leader of the Opposition how the Tanjore elections which were due in 1935 were postponed till 1936 because the Minister then in charge of Local Administration divided the 24 districts into three groups, placed Tanjore in group three and extended the life of the Tanjore District Board by one year, so that the elections which were due in 1935 were held in 1936. Again, Sir, the Chicacole District Board (the old Ganjam District Board) had extensions three times. Elections were held in 1932 and the next elections were due in 1935, but on account of this grouping Ganjam went into the first group and the elections to that board were postponed to 1936 by special legislation. The elections to the Chicacole board were postponed to 1937. After we came into office, because we could not get the electoral rolls prepared in time, we had to postpone the elections to 1938. So I submit that extensions have been given according to the exigencies of the case and the Opposition need not unnecessarily read motives into this postponement. Sir, I wish them well if they defeat us in the next elections. We will take the defeat cheerfully, if it comes in 1940 or 1941 or even in 1939. But to say that we want to give extensions to a set of Congress councillors in the Corporation and therefore we are bringing in this Bill is unfair. Sir, I move that the Bill be taken into consideration.”

The motion was put and carried and the Bill was taken into consideration.

Clause 2 was put and carried.

Clause 3 was put and carried.

Clause 4 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. SRI B. GOPALA REDDI:—“ I move—
‘ that the Bill be passed into law ’.”

The motion was put and carried and the Bill was passed into law.

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(4) THE MADRAS CITY MUNICIPAL, DISTRICT MUNICIPALITIES AND LOCAL BOARDS (AMENDMENT) BILL, 1939, AS PASSED BY THE ASSEMBLY.

THE HON. SRI B. GOPALA REDDI:—"I beg to move, Sir,—

'that the Bill^a further to amend the Madras City Municipal Act, 1919, the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920, for certain purposes, as passed by the Assembly, be taken into consideration at once.'

"Sir, there are four points in this Bill and the Statement of Objects and Reasons makes them clear. So I need not make a long speech at this stage."

* SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"May I ask the Hon. Minister what are the amounts of deposits he proposes to fix for these candidates?"

THE HON. SRI B. GOPALA REDDI:—"Fifty per cent of the deposits required from the other candidates. It is Rs. 50 in the case of other candidates for municipal elections; so the deposit in the case of depressed class candidates will be Rs. 25. The deposit in the case of district board elections for depressed class candidates will be Rs. 50."

SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"I do not oppose it."

The motion was put and carried and the Bill was taken into consideration.

Clause 2 was put and carried.

Clause 3 was put and carried.

Clause 4 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. SRI B. GOPALA REDDI:—"I move—

'that the Bill be passed into law'."

The motion was put and carried and the Bill was passed into law.

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IV.—NON-OFFICIAL BUSINESS.

Resolutions.

MR. PRESIDENT:—"Government business is now over and the House will now take up non-official business. Diwan Bahadur R. Srinivasan who has given notice of the first resolution^a on the agenda is not in his place."

SRI RAO BAHADUR M. RAMAN:—"He will be coming presently, Sir."

MR. PRESIDENT:—"I understand that he has intimated to the Secretary that he is not moving his resolution. So it shall be deemed to have been withdrawn. Mr. Saldanha will move his resolution."

(1) REPRESENTATION OF INDIAN CHRISTIANS IN THE SERVICES.

* MR. J. A. SALDANHA:—"Mr. President, I beg to move the following resolution which stands in my name:—

'This Council recommends to the Government that necessary steps should be taken to increase the representation of Indian Christians in the services in proportion to their advance in education and culture.'

Sir, I have ventured to move this resolution in order to stress the fact that the communal Government Order is too slow in its operation in the case of Indian Christians. We are thankful that the Government have recognized the great advance we have made in education and culture. We have attained that stage only at the sacrifice of the best of our men and of the flower of our womanhood and so much of our money at the altar of education. When I say the flower of our womanhood, some of you may be surprised, but you will have only to look around and see the convents in which hundreds of our sisters are sacrificing themselves for the purpose of education by giving up the world, to realize the force of what I have said. Our literacy standard is very high as compared with that of other communities except Brahmans. It is 18 to 25 per cent. It was 18 per cent in 1931

^aSRI DIWAN BAHADUR R. SRINIVASAN:—

This Council recommends to the Government to give wide publicity by beat of tom-tom in all castemen villages and every group of scheduled castes hamlets, to the G.O. No. 2660, L. & M., dated 25th September 1924, and sections 126-A, 157-A and 167 of the Local Boards Act, and sections 180, 180-A, 227-A and 259 of the District Municipalities Act, declaring that there is no objection to any person or persons belonging to any class or community walking through any public road, street or pathway, that there is no objection to any person belonging to the depressed classes having access to the premises of any public office, well, tank or places of public resort or market or to places and buildings where public business is transacted, in the same manner and to the same extent as persons belonging to the community of caste Hindus in the country and that any person causing obstruction to any other person in the use and enjoyment of the above amenities, is liable to be punished with a fine which may extend up to Rs. 100.

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and now nearly a decade has passed and there must have been some increase. I think we may say confidently that it will stand at 18 to 25 per cent as compared with 50 to 60 per cent among Brahmans, 8 to 10 per cent among other Hindus and 5 per cent among Mussalmans and 3 per cent among Harijans. Therefore, as a matter of justice, under the communal Government Order we are considered as entitled to one-sixth of the appointments in the public service. It is only that proportion that will give us the same proportion as the Brahmans and the Mussalmans. The Harijans have to get $1/12$ of the appointments and the non-Brahman Hindus have to get $5/12$ of the appointments. The Government have been publishing communal returns of officers serving under them on 1st April each year from 1924 onwards. The last returns were for the years 1924 to 1937. Now, Sir, those returns show that there has been a gradual increase in the number of appointments from amongst Indian Christians, but the rise has been rather slow in the case of gazetted appointments; the increase has been from $1/16$ to $1/12$. In the case of non-gazetted appointments above Rs. 100 the increase has been from $1/18$ to $1/10$. In the case of appointments above Rs. 35 and below Rs. 100 the increase has been from $1/20$ to $1/14$. In the case of appointments below Rs. 35 the increase is from $1/28$ to $1/25$. These are very small increases for a period of fourteen years from 1924 to 1938 while the position of the one community well advanced is as strong as ever in the services."

* THE HON. SRI C. RAJAGOPALACHARIAR:—"May I know what these fractions $1/28$, $1/14$, etc., are?"

* MR. J. A. SALDANHA:—"I have taken the total number of appointments sanctioned and the number of appointments made from among Indian Christians. For instance, $1/28$ means $1/28$ of the total number of appointments sanctioned. I am not a good arithmetician, Sir, but on the whole the figures show that the increase from 1924 to 1938 has been exceedingly small. Now I will come to the last two years. I have been trying to get the returns for the last year but in vain. The Government have not published any return for the last year. In the old times, they used to publish the returns every year. They were called annual returns. I have had some correspondence with the Government on this matter and I have been told that the returns will be published in October this year. I made enquiries about the appointments in the Revenue and Judicial departments in South Kanara. I find that in our district our position has considerably deteriorated. I have taken the figures relating to appointments of clerks in civil courts. The figures show that in the civil courts in South Kanara, there were 23 appointments in April 1937 on Rs. 35 to 100. Now, they are only 9. In the Revenue department, for the last two years the position of the community has become worse.

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“On behalf therefore of my community, I feel that this hon. House should consider my resolution sympathetically. I only ask for justice and equity to our community and you know, Sir, how much our community—our people, our nuns, priests, etc.—are working for the uplift of all classes of the community. I have got many relations, who are nuns and sisters, who are sacrificing their lives for educating all classes of people in the schools. We are also producing graduates and our literacy stands very high, 18 to 25 per cent in the Presidency. It is the highest in the Presidency. But we are far below the Brahmans who are about 50 per cent literate. They deserve the weightage given to them. Two appointments, out of twelve, are given to them. Even now, Brahmans hold a high position against other communities and their position is growing stronger and stronger. They are getting more appointments, because they have got more graduates. Even for petty appointments, Brahman graduates go in. Our community and other communities do not care to take up such appointments; they consider it *infra dig* to accept such appointments. Our position is deteriorating. The question is how to mend the present state of things. This is a matter which requires careful consideration. I appeal to the Hon. Prime Minister and other Ministers and also to the House to pass this resolution which is necessary for the aspirations of our community. I do not want to take up the time of the House further. I hope the Government as well as the House will give sympathetic consideration to our aspirations.”

* SRI RAO BAHADUR M. RAMAN:—“Sir, I have great pleasure in seconding the resolution of my hon. Friend, Mr. Saldanha. I have got to say only one word. Mr. Saldanha said that the communal Government Order was moving slowly. I do not agree with him. It is moving rapidly in some respects but in the backward direction.”

* SRI T. A. RAMALINGAM CHETTIYAR:—“Sir, I am only rising to point out the difficulties of accepting a motion like this. We have been saying that certain communities have had certain advantages in the beginning and that they have gone in advance and are holding positions of responsibility much more than other communities. We claim that other communities also should be given their chances; they should be allowed to advance and take their proper place in the country. For this purpose, certain adjustments have been made. Whether those adjustments can satisfy the conditions now existing or whether they are sufficient is a matter which may be viewed from different standpoints. There is the policy that those communities which are lagging behind should be supported and that they should have an increased share in the administration of the country. Of course I should say that the administration of the country does

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not merely mean jobs and getting employment. It means so many other things. The services influence the administration of the departments and if the administration is to go on properly, there ought to be proper representation of the interests concerned, in laying down the principles of administration and in carrying them out. No doubt it is also an advantage to the community getting the jobs. Therefore the claims of various communities should not be forgotten. It is also an economic question. People therefore want that the largest employer, the Government, should distribute the jobs among the various communities. Every community and every interest should have its due share and its legitimate share in deciding policies and carrying them out. For the purpose of giving chances to those who are lagging behind, certain rules of a temporary character have to be made and there should be an equitable arrangement. What is proposed now is to go back upon the whole policy which has been followed for some years now. Mr. Saldanha does not want to stop with that. He would have suggested that the communal Government Order should go and that everybody should be allowed his chance. In more than one portion of his speech, he said that his community was not the leading community. If the arguments advanced by him are correct, there is a community which would be entitled to very much better treatment. He said that his community was getting two places out of twelve according to the list. The Brahman community was certainly more leading. There are more educated people in that community. On the ground he has mentioned and on the ground of their education and culture, they would be entitled to very much better treatment than getting only two appointments out of 12. He has asked not for taking away the restriction which exists now. He wants the restriction should be so adapted as to give his community a better treatment than it gets at present.

"We have to see what exactly his proposal is. He does not want that the communal representation should be taken away altogether and that each person should be allowed to take his chance. That is not the proposal that is before the House. He does not want that the jobs should be redistributed on the basis of education and culture alone. That is not his ground at all. If that was his ground, one can understand its logic. That is not the ground for his present move. He wants, Sir, that on account of education and culture, his community should be given greater predominance. What will be the result? The result will be the biggest community in the Province will suffer. The non-Brahman Hindus are 35 to 37 millions strong out of 42 millions in the population. If offices were to be distributed on the basis of population alone, the community should be entitled to something like 8 or 9 appointments out of 12. But as a matter of fact, under the arrangement that is made under the communal Government

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Order, the community is entitled to get only 5 out of 12 appointments. Now, if my hon. Friend, Mr. Saldanha is going to get more, from where is it to be taken?"

MR. J. A. SALDANHA:—"On a matter of personal explanation, Sir. I want the Government to stick to the communal Government Order. I do not want the proportion to be increased. What I want is that the proportion fixed should be reached. The proportion of 2 out of 12 appointments has not been reached. Two out of 12 appointments are very low. Out of 12, we have got not even two appointments at present. That is my contention."

* **SRI T. A. RAMALINGAM CHETTIYAR:**—"Mr. Saldanha says he does not want to take away the proportion which the majority community has got. If the Brahman gentlemen want to make out a case on account of their education and culture, they will have a very good case for better treatment. My hon. Friend, Mr. Saldanha, wants better treatment. Scheduled classes are not well represented and they would ask for more jobs. Then I do not know where the majority community will be. It will be in the same position as the Hindu community in Bengal, where the Muhammadan gentlemen are assured of their percentage. Their claims have been made and settled. The result is that the Hindus suffer. That will be the position of the non-Brahman Hindus who have come in under so many strictures from various quarters for the last so many years for asking for equal communal representation. It does not seem to have helped them very much. It seems to me that this sort of claim by the Indian Christian community does not make the position of the non-Brahman community safe. I do not think it can really be argued that the Indian Christian community should receive better treatment than what they get, i.e., two out of twelve."

"I will mention only one more matter with reference to my hon. Friend, Mr. Saldanha's speech. He said that his community had about 23 or 25 appointments in the past in one office and that now it has only 7 or 9. According to population, his community should be entitled to only 9 or 10 appointments at the present moment. It so happens that that community has got only that number. It is a regrettable circumstance that the number has come down to 10. If the same sort of claim is made by everybody, I do not know where we will be."

12-30
p.m. * **THE HON. SRI C. RAJAGOPALACHARIAR:**—"Mr. President, the resolution is that the Council should recommend to the Government that necessary steps should be taken to increase the representation of Indian Christians in the services in proportion to their advance in education and culture."

"In moving the resolution, I take it that he has not altered or amended the proposition as it stood on the agenda paper. He

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recommends to the Council to accept the principle that representation in the services, as it is called, of various communities should be in accordance with their education and culture—a very dangerous proposition which would completely overturn the entire communal Government Order from a different angle. It would mean an advance made by Mr. Saldanha to the Brahman community to join hands and to press, not for representation on the ground of population but representation on the ground of education and culture in the public service according to the results, we may take it, of university examinations and school final examinations and so on. I should submit, Sir, that this principle underlying Mr. Saldanha's proposition is so wholly and totally opposed to the communal principle and the communal proportion—the communal ratio—that it is difficult to mix up the two together. Mr. Saldanha argues, 'Stick to the communal Government Order but give me my proportion in accordance with the standards of education and culture reached by my young men.' It is a difficult thing to perform, at least without shutting one's eyes to one side of the picture and keeping one's eyes wide open, but only to another side of the picture. It is not possible to do so, unless we look only at the Indian Christian community and not at the other communities in the population which have advanced similarly in education and culture; it is a wrong and impossible thing for public men to do any such thing. We cannot really give effect to this proposition keeping the communal rule or the communal proportion intact. I do not suppose that Mr. Saldanha wants that this Government should initiate the abolition of the communal rule, whether it be proportion or rotation or ratio; if he does not want to abolish it, I must at once say that there is no use shilly-shallying with the proposal. I must say it is an impossible thing that he is proposing if he wants to keep up the communal rotation or the communal proportion intact. It is impossible to give representation, as it is called, to all the various communities in the public service in proportion to their advance in education and culture.

"Now, Sir, as for the grievance, let me explain to the hon. Member that he is suffering under a complex of inaccurate facts. There is no deterioration; he has advanced, his community is progressing further and further; but he has somehow convinced himself that it is in a very bad way and therefore he is moving in this Council a resolution for this purpose. Let me give him the facts; but before I do so, let me draw his attention to this. He says, 'Here in a certain place or in a certain department, there were eight clerks last year; I find they have now become six—that is deterioration. Again, here in my own district, I knew that nine people were in a particular department, but to-day they are only seven—that, again, is deterioration. Yes. It is possible, because we cannot fix the proportion for every unit, every year,

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every department, and in that way fill the country with units in every inch consisting of all the communities; you would not be able practically to give effect to such a scheme. I read the other day, and much to my amusement I read it, though the author was most serious in that communication, that if he took the Prime Minister's place, it was 100 per cent Brahman in the services. I read it actually; it was actually in print. It is quite possible to make out an absurd case like that; but that is not the point now. We cannot take or begin things in pieces like that, and put in a rule of convenience or expediency which has been accepted by previous Governments with reference to communal rotation or communal proportion and try to reduce it to an absurdity by trying to introduce it in each department, in each area and each unit. No doubt, if I were mischievously inclined I could do so with a view to expose the absurdity of the whole thing, but that is not the way honestly to work out even a principle of expediency, though it may not be the correct thing. Let us be practical men and let us see whether there is any real injustice. Let me give the figures now.

"Mr. Saldanha was saying that these things have not been published. Here is a list that we are publishing every year; a whole book of something like 72 pages of tables giving with meticulous accuracy the number in each community, the year, the proportion and everything. This is in fact a book to keep up the psychology of communal separation and division for ever. This is a book which has that effect; but it is being published. And if Mr. Saldanha or any other member wants to read it, they may pore over these pages of small type, with all kinds of figures. In fact this is the Bible in this respect, and it is supplied to every one. Let me give the latest figures and let me ask the patience of the House to see where the Indian Christian community, and in passing, where certain other communities also, stand in regard to this matter. Is there any real grievance or reason in this continual cry of something wrong done by this Government and by this Premier?"

MR. J. A. SALDANHA:—"In what year was it published; up to what year does it contain information?"

* THE HON. SRI C. RAJAGOPALACHARIAR:—"He will presently hear. I am now reading from the tables only the grand totals:

'Non-gazetted officers on less than Rs. 35—

In 1924, Indian Christians, 1,988.

In 1938, Indian Christians, 2,724.

We ought to know something about others; let us begin at the bottom; let us have their figures also in passing:

In 1924, scheduled classes, 1,073.

In 1938, scheduled classes, 1,905.

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It may not be much of an advance, but there is an advance—no deterioration anyway—and if I round off the figures, the increase is from 1,000 to 2,000.

“Again, non-gazetted officers on Rs. 35 and upwards, but below Rs. 100. First of all, let us take the classes to which the proposition refers:

In 1924, Indian Christians, 1 003.

In 1938, Indian Christians, 1,534.

No deterioration anyway. Mark you, Sir, I do not take any credit for this phenomenon; this cannot be done by any one man; it goes throughout the whole Province, all the offices and all the departments; they all accumulate and these results are now available at the end. It is no credit to anybody; it is just the existing state of facts that I am giving. Let it not be thought that I am claiming any credit for it; even if I had done it, I do not want to claim any credit for this.

“Then, the actual figures for the scheduled classes are 56 in 1924 and 137 in 1938, in respect of non-gazetted officers on Rs. 35 and above, but below Rs. 100. Again, in respect of non-gazetted officers on Rs. 100 and over;

‘In 1924, Indian Christians, 425.

In 1938, Indian Christians, 797.’

Is that deterioration? Then, Muhammadans:

‘In 1924, Muhammadans, 317.

In 1938, Muhammadans, 454.’

I need not bother hon. Members with these figures. I will now go on to the scheduled classes:

‘In 1924, scheduled classes, 2.

In 1938, scheduled classes, 27.’

Coming now to gazetted officers,

‘In 1924, Indian Christians, 105.

In 1938, Indian Christians, 142.’

As we go higher and higher up, the number rises up. No doubt it is all mere accident; they have all got up by their labour, by their fitness for promotion—105 to 142 is no deterioration. That is all I claim, Sir. Similarly, Muhammadans, from 57 to 104 and scheduled classes, from 1 to 7.”

* MR. J. A. SALDANHA:—“I pointed out that there was an increase from 1924 to April 1937. But I have not got the returns after that, although I asked for them. From 1937, there has been a deterioration.”

* THE HON. SRI C. RAJAGOPALACHARIAR:—“From 1924 to 1937 it is admitted that there has been an upward march; and the hon. Member says there has been deterioration after 1937. Is that the complaint? Then he should not call it deterioration if it is only for one year. He cannot fancy; the word that he actually used was ‘deterioration’.”

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MR. J. A. SALDANHA :—“ I referred only to my own district of South Kanara.”

* THE HON. SRI C. RAJAGOPALACHARIAR :—“ Then I say it is an extraordinarily unfair thing to the Government. As I suggested, we cannot take up district by district; I do not vouch for the accuracy of these figures if they are to be taken by the districts. It is really wrong to apply these figures to one office, one department or one district, with reference to the communal rule and make a statement on the floor of the House that such and such community has not got the proportion . . . ”

MR. J. A. SALDANHA :—“ But the Government have not supplied us with these lists.”

* THE HON. SRI C. RAJAGOPALACHARIAR :—“ Let me again read the figures for 1937. Indian Christians on less than Rs. 35 in 1937: 90. In 1938, the figure was 118.”

MR. J. A. SALDANHA :—“ What about gazetted officers? ”

* THE HON. SRI C. RAJAGOPALACHARIAR :—“ If the hon. Member will give me more time, I will make a complete list with their names and fathers' names too. It is not possible, in giving statistical figures for four crores of people in Madras in a Second Chamber, to give particular appointments, particular districts, particular places and all that; it is impossible; but let me say that the principle which the hon. Member stands for is not a principle to be applied to particular appointments. Particular men are fit for particular appointments, particular men come up near particular appointments, and they have to be chosen willy-nilly; but I think we may get a statistical forecast if we take a large number of people, a large area, a large department and a large number of departments. We cannot possibly satisfy the communal appetite by taking particular places, particular men, or particular offices. Let me continue to verify the statement made by the hon. Member as to deterioration from 1937 to 1938 and find out whether there is any truth in it, and if there is, how far it is true. I have not read the list before; I take it that the whole thing is working properly; I assume it—honestly, I say I have not read it—because I am certain that there is nobody working with any motive to bring about such a result; and because there is no motive or cause, there is no effect also. It is on that assumption that I am proceeding to read this list for the first time. Then, non-gazetted officers on less than Rs. 35 in 1937 were 90 and in 1938 the figure was 118. As regards Indian Christians, non-gazetted officers drawing Rs. 35 and up to Rs. 100, the figure was 1,511 in 1937, while it was 1,534 in 1938. We cannot raise a crop at all times and so, from 1,511 to 1,534 it is not deterioration. Then in the next stage, i.e., non-gazetted officers getting Rs. 100 and over, Indian Christians 758 in 1937 and 797 in 1938; again, Sir, I underline the words ‘ no deterioration.’

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“ In regard to gazetted officers, Indian Christians, it was 142 in 1937 and 142 in 1938—no increase, but still no deterioration.”

“ Sir, I do not propose to read the figures for 1937 and 1938 with reference to the scheduled classes because that will be interpreted to mean that I attempt to deflect the issue before the House, but if Mr. Saldanha won't grudge I shall read it.”

MR. J. A. SALDANHA :—“ I do not grudge, Sir.”

* THE HON. SRI C. RAJAGOPALACHARIAR :—“ Then I shall read it.

Scheduled classes—

Gazetted officers—

1937	..	..	..	..	..	..	..	..	4
1938	..	..	..	..	..	..	..	..	7

Non-gazetted officers on Rs. 100 and over—

1937	..	..	..	..	..	..	..	..	16
1938	..	..	..	..	..	..	..	..	27

Non-gazetted officers between Rs. 35 and Rs. 100—

1937	..	..	..	..	..	..	..	..	117
1938	..	..	..	..	..	..	..	..	137

No deterioration again, Sir.

“ Then in regard to those non-gazetted officers on less than Rs. 35—Scheduled classes—the number was 28 in 1937 and 36 in 1938. These do not include constables and the like.”

MR. J. A. SALDANHA :—“ What about Brahmans?

* THE HON. SRI C. RAJAGOPALACHARIAR :—“ What about Brahmans? What about Ayyangars? What about Vadalgalai Ayyangars? All such things will come in. But, the issue here is about Indian Christians. As Mr. Ramalingam Chettiar has stated—a knowledge of the elements of algebra would show that—when there is a rise in one particular community, there cannot possibly be a rise in the number of the other communities. If it is wanted, I shall of course read the figures about Brahmans and how they go down, because I do not suppose that the Brahman community would have got more of it according to communal proportion than they could have got under the old regime; I mean, they are worse than that; that is their feeling, I know. Does the hon. Member know it? If he wants I can read the figures, but it will be irritating to Brahmans and so I do not want to read it.

“ I said, Sir, it does not include constables. Since 15th July 1937, 907 constables have been appointed and out of them 137 belong to the scheduled classes. However, that is not relevant but since the hon. Member referred to the matter I read it. So that, Sir, judged from any angle, there has been no deterioration with regard to the justice or fairness or whatever else it may be called that ought to be exercised in favour of the Indian Christians in regard to appointments to public services. This cry it is easy to raise, because there are a number of other disabilities in the world and there are a number of disabilities in social life, but if only a

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thing like this is also said, it is easily believed, it is spread easily, and multiplied and printed and read and it creates bad blood on the basis of falsehood; if on the other hand bad blood is created, by all means let it be created by reality, because it does not help a public man to create bad blood under any circumstance. Even wrongs should be tolerated”

* **MR. J. A. SALDANHA** :—“ I regret that the Hon. Prime Minister has used the word ‘ falsehood.’ No doubt figures were published by Government for 1937 and 1938, but I referred to the deterioration in my own district; and why should I attribute any falsehood? ”

* **THE HON. SRI C. RAJAGOPALACHARIAR** :—“ I have not attributed any falsehood to the hon. Member; if it is wrong, then I shall withdraw. But, since the hon. Member was saying that there has been deterioration in figures under this or that head, I had to read all possible figures and from them I have shown that there has been no deterioration of any kind. Then the last ditch at which Mr. Saldanha defends himself is that in some particular district or office he has noticed this deterioration and therefore he said it. I acquit him of bad intentions, but I cannot acquit him of carelessness in making statements with regard to deterioration on the floor of this House, when as a matter of fact, figures are all here. If his complaint is that 1938 figures were not supplied to him at the time he made that estimate with regard to deterioration”

MR. J. A. SALDANHA :—“ I could not get it.”

* **THE HON. SRI C. RAJAGOPALACHARIAR** :—“ Up to 1937, Mr. Saldanha admits there has been no deterioration; he also says he did not get figures for 1938; therefore can he say, there has been deterioration, though he can say, ‘ I am in ignorance, I am kept in the dark?’ He cannot say the figures are false and the facts are untrue—the word ‘ false ’ is perhaps used with reference to men; perhaps that is the reason why he takes exception to the word by which I did not at all intend anything to hurt Mr. Saldanha’s feelings. I am sorry he was hurt. What I said was, bad blood was wrong. When the basis for such impression is altogether absent, then to start a statement which would create bad blood, is very wrong. Therefore, I took so much time and trouble to give figures. I thank Mr. Saldanha for giving me an opportunity to make all figures perfectly clear. I do hope no such mistake will be made by anybody in future.”

* **MR. J. A. SALDANHA** :—“ Sir, in view of the statement which was made by the Hon. the Prime Minister with reference to the statement which was not before me, I beg to withdraw the resolution, but I hope that in future after the publication of the tables for 1939, I may bring forward a further resolution.”

The resolution was, by leave of the House, withdrawn.

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(2) NECESSITY FOR TRADE AGREEMENT WITH BURMA IN CONSULTATION WITH THE LEGISLATURE OF THIS PROVINCE.

DR. SIR K. V. REDDI NAYUDU:—"Mr. President, the resolution which I have the honour to move runs as follows:—

'This Council recommends to the Government to urge upon the Government of India the importance and necessity of their not finally entering into any Trade Agreement with Burma without communicating beforehand the proposed terms to this Government and without obtaining the views of this Government and of the Legislature of this Province on any proposed terms regarding the imports of Burma rice into this Province and further to request the Government of India to reserve to themselves certain amount of control over the imports of Burma rice into India generally and into this Province particularly.'

"Sir, this resolution consists of three parts. The first is, this Council requests our Government to induce the Government of India to let us know the terms, in the first place to the Government of Madras and secondly to the two Houses of Legislature in this Province, so that we may have an opportunity of giving expression to our views which may be of use to them in their negotiations with the Burma Government. Mr. President, I need not emphasize the importance of improving the economic condition of this Province. We are all agreed that about 80 per cent of the population of this Province is rural and that 70 per cent of the entire population live on land, that their condition is miserable, that the ryots are chronically indebted and that some attempt should be made to improve their condition. Of course attempts have been made and are being made by our Government, but this is another step in the same direction. Speaking on the occasion of the opening of the Industrial Museum at Madras, the Hon. the Revenue Minister, Mr. T. Prakasam, is reported to have said: 'The Government intend to bring to bear all the resources at their command to enable the agriculturist to receive a fair return for his labour.' He also added: 'It is necessary to secure him a fair economic price for paddy and other cereals.' That, Sir, is the right policy, if I may say so with respect. The nation will be indebted to him and to the Government if this policy is implemented by effective practical measures. I respectfully submit that a restriction on the importation of Burma rice is the first step in that direction.

"Now, Sir, let me say a word about the importance of rice in the economic life of this Province. Experience has shown that the price level of rice governs the price level of cereals and even of other products. It also governs the price level of practically every product which does not enter into the international trade—by trade, I mean exports and imports. If the price of rice falls,

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the price of the other products will also fall. If it rises, their prices too will rise. The place which the production of rice occupies in this country as compared with the place occupied by other products can be gleaned from the Review of Trade of India for 1932-33. That was the only copy that I was able to get, but I am sure the Government will have more recent figures.

“ Taking rice, wheat, oil-seeds, sugarcane and cotton, the five principal products of our country, we find that rice accounts for 277.66 crores or 51.72 per cent of the total value of the agricultural products of India, while wheat accounts for only 47.47 crores or 9 per cent, oil-seeds for 40.94 crores or 8 per cent, sugarcane for 37.33 crores or 7 per cent and cotton for 22.23 crores or 4 per cent of the total value. Thus rice is the most important and economically of the highest value. Yet, it has not received any protection from the Government of India. On the other hand, wheat and sugarcane received protection at their hands. Wheat, of course, is produced largely in the Punjab, sugarcane is produced mostly in the United Provinces and Bihar; so far as paddy is concerned, Bengal and Madras are the only provinces which grow it. A few figures will have to be remembered in considering this question. The area under paddy cultivation in 1937-38 in India is 72,277,000 acres, in Madras 9,943,000 acres and in Burma 1,270,000 acres. The output of rice is 26,737,000 tons in India, 4,057,250 tons in Madras, and 1,470,000 in Burma; while the population is 365 millions, 48 millions and 16 millions respectively. I give these figures calculated at the rate of increase which took place in the previous decade; so the figures seem to be a little higher than what was contained in the reports. In the year 1938-39 India imported 1,281,697 tons of rice from outside, of which Madras took 468,743 tons. The rice food requirement for Madras may be taken as 5,000,000 tons. Last year was an abnormal year on account of adverse seasonal conditions, cyclone in the Northern Circars and famine elsewhere, except in the Cauveri Delta and in the West Coast. Our normal acreage under paddy cultivation is about ten million acres with an output of five millions tons of rice. This is barely sufficient to meet our needs. But generally our output will be less than that and we may have to import about half a million tons of rice, according to circumstances. Unfortunately there has been a serious fall in the extent of land under paddy cultivation. In 1933-34, we cultivated 11,700,000 acres, while in 1938-39, we cultivated 9,943,000 acres only. That is a fall of nearly a million acres during the last five years. This fall is mainly due to the low price fetched by rice, though adverse seasonal conditions also played their part.

“ We are at a disadvantage when compared with Burma in the production of paddy. Rice cultivation in Burma started later than in Madras. On account of cultivation for a longer

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period, the natural fertility of the soil is reduced in our Province. Further Burma rivers bring down larger quantities of silt than our rivers. We are accordingly obliged to put in more manure in our lands. The cost of production is thus enhanced.

“Secondly, cultivation in Burma is from natural irrigation sources, just like what used to happen in the Cauvery delta. On the other hand, in the Northern Circars, Godavaris, Kistna and Nellore districts and other places the Government have incurred large amounts of expenditure in the construction of channels, sluices and other irrigation works with the result that they could not reduce the tax below a certain limit. Therefore, the tax that the cultivator pays on his irrigated fields including water-rate is certainly more than what is being paid by the Burmans on their lands.

“Thirdly, the holdings in our Province are rather very small. The extent of cultivation under each individual in Burma is certainly much larger than what it obtains in our Province. Of course, we all know what small holdings mean and how difficult it is to obtain an economic return in spite of all the troubles which the ryot takes. In Burma holdings are large and possibly our joint family system is responsible for the frittering away of holdings. But whatever the reason may be, the fact remains that in our Province, we have more than a million pattadars paying tax of below Rs. 10. On account of all this, the production per acre in Burma is larger than in Madras. Hon. Members must have noticed a little while ago from the figures that I furnished how much the production is in Burma and how much it is in Madras. For the 10 million acres that we are cultivating we produce only 5 million tons which comes to about half-a-ton per acre. On the other hand, production in Burma is more than a ton per acre according to the figures that I have already given to the House. Burma is thus enabled to have an exportable surplus of 30 lakhs of tons of rice and she dumps this surplus on India whenever she is unable to sell it to other countries. This fact has also to be borne in mind, namely, that taking the ratio of population to the area under paddy cultivation as the criterion, the population of Burma is much lower than that of Madras.

“I want to say a word regarding the price of rice of late. In 1913-14, the price was Rs. 4-8-0 to Rs. 5-8-0 per maund. Two maunds of rice are equal to one bag of rice of 165 lb. One bag of rice fetched at that time Rs. 9 to Rs. 11.

“The price in July 1939, that is last month—I rely for it upon newspaper reports—was Rs. 6 to Rs. 8 per bag or a difference of Rs. 3 per bag of rice. I have taken the price for the year 1913-14 because it was the year before the War. The War complicated matters: many fluctuations have taken place during the period of the War as also the period immediately following, that is, the years of peace. But about the year 1925, the prices shot

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up very high. But I do not take that year as a standard. Comparing the prices of the year 1913-14 with those of 1939, we find we are losing Rs. 3 per bag of rice as stated above. We produce on an average $6\frac{2}{3}$ bags of rice per acre. So at the rate of Rs. 3 per bag of rice, the ryot is losing Rs. 20 per acre per year. Taking roughly one crore of acres as our area under paddy cultivation, we are losing about twenty crores of rupees per year. Sir, the loss to the national wealth can be easily understood. That the country should be losing Rs. 20 crores per year is indeed something which is shocking especially to my friends here like Dr. Thomas, who, I hope, will give us the benefit of his knowledge of economic science in this particular matter and any suggestions made by him will be welcome. So much for the loss of national wealth.

“What about the ryot? Taking the case of the ryot himself, suppose a man has four acres of land. He is getting to-day Rs. 160 to Rs. 200 gross income on that holding of his. In 1913-14, he was getting Rs. 240 to Rs. 280. His loss is thus Rs. 80 per year. Now he pays roughly Rs. 25 on these four acres to the Government—I have not taken the rate paid by the ryot in Tanjore and other places where the rate is as high as Rs. 10; I have taken the rate for the whole Province where a good portion of the lands is tank-fed and such lands do not pay as much as those of the deltaic regions. I think the Hon. the Revenue Minister will correct me if I am wrong for throughout and even at this stage I have not claimed complete accuracy for my figures and I have taken them from such books as I could get. As a matter of fact, this was prepared some four years ago and I have tried to bring it up to date but unfortunately I have not been able to get the papers which the Government would be in a better position to refer to. I hope he will correct me wherever I am wrong; but the slight inaccuracies of my figures do not in the least alter the force of my argument, namely, that the ryot is losing a lot, that the country is losing a lot, that the importation of rice from Burma is a great evil. These facts, I hope, have been established by what I have been saying to the House, even in spite of the slight inaccuracies of the figures which I have given. Whereas in 1913-14, he was getting Rs. 240 to Rs. 280 per acre, now he gets Rs. 160 to Rs. 200; and his loss is thus Rs. 80 per acre per year. I said that he is paying Rs. 25 to the Government on these four acres; the same may be paid by the zamin ryots also. I am not in this matter taking the case of the rack-renting zamindars whose rent may perhaps rise up to Rs. 30 and Rs. 40 per acre; I am only referring to the ordinary type of zamindars and in that I might perhaps err to the extent of half a rupee or so but that again does not in the least detract from the force of my argument. Remit the entire tax on land, yet the ryot will still be a loser to the tune of Rs. 50.

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“ Let it not be understood that I am against the reduction or wiping off the total land revenue; I want a reduction; but all the same, the position of the ryot will not in any way be better. He will not be the better for it. We have a Telugu proverb “ వేడినీళ్లు కు చనీళ్లు సహాయము, ” that is, if you add cold water to the hot water, the quantity will be increased for bathing purposes. Reduction is essential and we shall be thankful to the Hon. the Revenue Minister for his attempts to get it reduced; but what I am telling you at this stage is this, that that alone will not solve the problem; that that alone will not save the ryot. What is after all Rs. 25 against the loss he is having, a loss to the tune of Rs. 50 per acre on the basis of peak prices? What does it come to for an acreage of nearly 10 million acres? But I will not calculate on this basis for the reasons I have already explained to the House. If, on the other hand, you raise the price of his commodity, he would be in a position to pay Rs. 25 more on his holding; he would not mind paying a little more to the Government when an occasion arises. The real solution of the problem lies in discovering something by which you could raise the price level of the various articles which the agriculturists produce. As I have said a little while ago, it is not the price of rice alone that falls; other agricultural products which have no international market fall along with it and there is much reduction in the gross income of the ryot with consequences very serious to him. If by some process, the Government will be able to discover the means of raising the price of rice—and of this the restriction on the import of Burma rice is a part—then I beg to submit the condition of the ryots can be improved.

“ Reduction of tax alone is not a solution of the ryot's distress; a rise in the price of agricultural produce may yet save him. Owing to the fact of Burma being a part of India until the Government of India Act came into force, certain provisions had to be made in order to prevent dislocation of trade between India and Burma. Provision is therefore made under section 160 of the Government of India Act empowering His Majesty to give by Order in Council such directions as he thinks fit with respect to the duties which are, while the Order is in force, to be levied on goods imported into or exported from India or Burma and with respect to ancillary and related matters. The Order in Council of His Majesty was passed on the 18th March 1937, and by clause 7 of Part I of that Order it was ordered that the said Order shall remain in force for three years or until twelve months have elapsed after giving notice to terminate the operation thereof, whichever is the longer period. Again, under clause 3 of Part II of the said Order in Council, no prohibitions or restrictions on imports or exports other than such as are specified in the schedule to that Order

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shall have effect in British India with respect to the bringing of goods into British India from Burma or from British India into Burma. That means this: that because India and Burma were one country before the passing of the Government of India Act, before Burma was separated, there can be no question of protecting one province against the other. But now, Burma has been separated and if the Government of India had been empowered to impose import duties on goods coming from Burma, there was every danger of dislocation of trade, and so in order to prevent that dislocation the Parliament of Great Britain in the Government of India Act provided major provisions to the effect that His Majesty may pass an Order to prevent dislocation of trade, and so His Majesty has passed this Order. And so, according to that the Government of India have no power during these three years to impose any restriction on the imports of rice into our country from Burma. But after three years or after one year after giving notice, whichever is later, the Order says, you are at liberty to levy taxes. Now, Sir, the three years have expired, or are nearly expiring. I have stated that on the 18th March 1937 that Order was passed, and so it will expire on the 18th March 1940. I also gathered that notice has been given by the Government of India and so on the 18th March 1940 the Order will expire, so that the Government of India will be at perfect liberty to impose any tax or any restrictions or make any other conditions which they may deem fit for the benefits of the ryot in our Province, or for the matter of that, for the whole of India, including Bengal. And that is why, I take it, negotiations have commenced just now between the Government of India and the Government of Burma. Sir, on customs duties the Provincial Government have no hand. But certainly, I contend, Provinces like Madras and Bengal, in this particular matter, have a duty, a responsibility, nay, a right, to make the necessary representations to the Government of India, and the Government of India should give their best consideration to them. We are now met, since just now negotiations have been commenced in the matter, to request our Government to write to the Government of India—and if the hon. Members who now occupy the Treasury Benches have no objection—even to communicate a copy of the proceedings of this House to the Government of India, pointing out how much we are resenting, how we are suffering, how much difficulty our ryots have been put to and how all this is due to low prices obtaining. Sir, I consider it the duty of the Government to make this representation.

“ Now, Mr. President, I have finished my say. I have only to submit one word more to the Government. I have already quoted to the House the splendid statement made by the Hon. Revenue Minister yesterday on the occasion of the opening of the Museum. I only appeal to him to take it to heart and see that he accomplishes what he has said. I have not the slightest

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doubt that he wants to do it. Let me hope his Colleagues will help him; let me hope the Government will use every resource in their power to see that the Government of India do not enter into any trade agreement with Burma without consulting our Government, without consulting this House and the other House. Mr. President, I commend the resolution for the acceptance of the House."

SRI RAO BAHADUR M. RAMAN:—"I second it."

* SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"Sir, may I ask the Members on the Treasury Bench to enlighten the House as to how the matter stands at present, whether there is any correspondence going on between this Government and the Government of India?"

THE HON. SRI V. V. GIRI:—"The Leader of the Opposition would like to know the exact position of affairs to enable members to take part in the debate. I am glad Dr. Sir K. V. Reddi Nayudu has brought this resolution to-day before this House. I wish to make it clear that as soon as this Government came to office they began to tackle this important subject. We have clearly expressed to the Government of India our views on the subject at the earliest possible time. Preliminary negotiations are taking place between the Government of India and the Government of Burma and we have taken time by the forelock. Not only that, from January of this year up till now, if I may say so, we have been almost in monthly touch with the Government of India on this important matter. Therefore I wish to assure this House that the Government are fully alive to their sense of responsibility on a subject of this character. It may also be remembered that there are three parties concerned. One is the Government of India, the other is the Government of Burma and the third is the Government of Madras. Though the Government of Madras have as equal an interest in the matter as the Government of India, negotiations have to take place only between the Government of India and the Government of Burma. But that does not mean that we should keep quiet. Every aspect of the matter will be put forward which will be beneficial to the ryot population of this Province. I will therefore make this statement on this important subject:—

'The subject of imports of Burma rice has been under correspondence with the Government of India since December 1937. The Government are in full sympathy with the object underlying the resolution. It is the desire of this Government to restrict the imports of rice from Burma with a view to raise the price level of local rice, consistent with the interests of the consumer.

'Since, however, these restrictions cannot be imposed so long as the India and Burma (Trade Regulation) Order, 1937, is in force, the Government of India were requested to terminate

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the operation of the Order at the earliest opportunity, i.e., 1st April 1940, by giving notice of termination to the Governor of Burma not later than 31st March 1939.

‘In response to our representations, the Government of India have replied recently stating that when the actual trade negotiations with Burma are opened, it is the intention of the Government of India to consult all the interests concerned before any decisive step was taken. They have further assured the Government of Madras that not only will the representations this Government have already made be taken into account, but also that this Government will be given an opportunity to make further representations before any conclusive action is taken.’

“Therefore, I submit the Government of Madras are in constant touch with the Government of India and when further negotiations take place, I assure the House, every effort will be made to submit our views on the matter. The Government have no objection to communicate the proceedings of this House to the Government of India as it will facilitate further discussion on the subject.”

DR. SIR K. V. REDDI NAYUDU:—“I am very thankful, Sir, for the statement.”

* THE HON. SRI S. RAMANATHAN:—“Mr. President, I want to say one or two words on the merits of this question, apart from the action that the Government of Madras have taken in regard to this matter. On the merits of this question there is no doubt whatever. Public opinion is unanimous that the quantity of rice that is being imported into this Province affects adversely the prosperity of the people as a whole. The quantity may not be large; it may not be necessary even, but I shall deal with that point later. Though the quantity of imported rice is small, it depresses inordinately the price level of this commodity, which is the principal produce of this Province. The fall in the price level affects the economic prosperity of the people as a whole.

“Then the question arises whether the importation of this small quantity is at all necessary. Dr. Sir K. V. Reddi said that probably we may have to import one or two millions of tons every year. I dispute that proposition. Now, it is well known that enough rice is not grown in this Province, because production of rice itself is uneconomic. Agriculture, like any other industry, opens out a profession; and a man will take up that profession only if he is able to make a living out of it. If he cannot get that, he will never take it up. So the phenomenon that Dr. Sir K. V. Reddi observed, of our not being able to produce enough rice from the arable land at our disposal actually shows that our people are not desirous of taking to agriculture . . .”

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DR. SIR K. V. REDDI NAYUDU:—"I do not think there is any difference between myself and the Hon. Minister. I said that as things stand at present we are obliged to get less produce. In fact lands are available, but facilities are not available. Both in the Mettur Project area and in East and West Godavari districts thousands of acres of land are available but are not cultivated because of the lowness of the price."

* THE HON. SRI S. RAMANATHAN:—"I am very glad Dr. Sir K. V. Reddi agrees with me."

THE HON. SRI C. RAJAGOPALACHARIAR:—"We have now come to the habit of agreeing." (Laughter)

* THE HON. SRI S. RAMANATHAN:—"It is common ground, therefore, that there is no need for this present import of rice into the Province from outside, much less from Burma. How is it that Burma is able to sell us rice so cheap? In Burma there are the natural conditions which facilitate the growth of rice. We in India and in Madras have got to construct costly dams, anicuts and irrigation systems and necessarily, therefore have to impose irrigation cesses and taxation. But in Burma rice is a kind of natural product; there is rain, there is no necessity for these costly constructions and, therefore, rice in Burma is, so to say, a mineral and a natural product, whereas here we have to cultivate it at great cost and have to run great risks. But who does the work of gathering this mineral product in Burma, who does the sowing and the harvesting? It is our own people. It is our own labourers whom we send out of our country owing to our short-sighted policy; our people go to Burma; they gather the produce of rice and export it to our country and create more unemployment at home. If we had regulated the emigration policy already on an all-India basis and in pursuance of a far-sighted policy, this problem could not have arisen."

"Finally I should draw attention to what Sir K. V. Reddi pointed out that any amount of reduction in land revenue will not give relief to the agriculturists to the extent to which a rise in the price level will give."

THE HON. SRI C. RAJAGOPALACHARIAR:—"He wants cold water to be added."

SRI T. C. SRINIVASA AYYANGAR:—"He says it will not by itself be sufficient."

* THE HON. SRI S. RAMANATHAN:—"He has given figures that 20 crores can be immediately added to the wealth of our people by this means. Land revenue is not more than six crores; even if the whole of the land revenue is given up, we cannot add this enormous revenue to our people. I have great pleasure in supporting this resolution."

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* DR. P. J. THOMAS:—" Mr. President, I am glad that Sir K. V. Reddi has brought forward this important resolution. Most people will agree with him that on the question of a trade agreement with Burma the Government of India might, with advantage, consult the Government of Madras which has a vital concern in the trade with Burma. On that point there may not be any difference of opinion, because on every ground, whether it be the exportation of labour or the importation of commodities, there is no doubt that the views of this Province deserve to be taken into consideration by the Government of India.

" But when we come to the question of the terms of the agreement, especially the suggestion regarding the restriction of rice imports from Burma, I fear that I may not be able to agree with my friend Sir Kurma, nor with my Friend the Hon. the Minister for Public Information. It is true that Burma has been sending to this country rice cheaper than this country could produce. There is no doubt about that. But these imports serve a useful purpose here. Burma is able to produce rice at a much lower cost than our country, because Burma has got far better facilities than any other country in the world for the production of rice. Thirty years ago the fertile valley of the Irrawady was exploited, with the help of Indian capital, and the unfailing annual supply of silt from that river made the rice fields productive beyond compare. Indeed Indian capital came in handy. I suppose in certain districts of Burma about 30 per cent of the lands have come into the hands of Indian money-lenders. A single Indian capitalist, it would appear, has come to possess nearly 100,000 acres of rice lands in Burma.

" But the potent fact to be taken into account is that Madras Presidency is not able to produce rice sufficient for its own consumption. I find that there is a difference of opinion on this point. The Hon. Sri Ramanathan said"

DR. SIR K. V. REDDI NAYUDU:—" There is no difference of opinion."

DR. P. J. THOMAS:—" In any case, Sir, may I say that so far as I am aware, Madras Presidency has not got a sufficient supply of rice in most years, and certain areas have to be largely supplied from outside? For the last few years we have not been increasing our production of rice. The population has been increasing; the last census has shown that population has increased by about 10 per cent in this Presidency. But the supply of food-stuffs, particularly cereals, has not increased as fast, and therefore food has to be imported. The imports are really needed for feeding the country. There are indeed several districts like Tanjore, East Godavari and Kistna, which are able to produce a surplus quantity of rice. Even in those districts, I think that owing to the law of diminishing returns, people are not able to raise as much rice as they formerly were able to.

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" There is another point to be taken into consideration. I suggest that in this matter it is not merely the interests of the few landholders who have rice to sell, but the interests of the millions of consumers, that should be taken into account. I submit, Mr. President, that consumers not only in the towns but in the villages also are largely dependent on foreign rice. Let us also remember that not less than a third of the agricultural population depends on daily wages for livelihood, and a rise in the price of rice will hit them, especially those who are paid in money. Even the smaller producers are on balance buyers of rice rather than sellers. Another point we have to take into account is that rice stands on a different footing from articles like cotton or rubber. Here is an article which is a staple food. It forms the bulk of the daily purchase of a labourer. This aspect of the question should be taken into consideration before everything else.

" There is a lot of loose talk about raising prices. Although the price of rice began to fall soon after the War from the high levels maintained during the War, the chief slump coincided with the trade depression of 1929-31. Low prices have continued for many years. Therefore, there is no point in urging that the price of rice alone should be raised. No doubt, the rice-growers would benefit from such a rise of prices, but we must take into consideration the position of the consumers also. A general rise of prices may be justifiable, although it is now rather late to think of it. Prices have remained low for nearly a decade and a new equilibrium has been established. To disturb it may not be wise.

" Although I am opposed to the complete exclusion of rice by means of very high import duties, I am not against regulation. My submission is that we must regulate the importation of rice by carefully watching the production in India, year after year. Having estimated the possible rice shortage in any year, we must let in sufficient rice to meet our needs by giving licences to importers. Therefore it will be wise to enter into an agreement with the Burma Government on a quota basis. That is to say, we must have the freedom of importing rice according to our actual requirements, and this must be linked in some way to our export trade with Burma. Imports must be regulated chiefly in the interests of the consumer, and the producers' interest must come in only when anything like dumping takes place. If the wages will rise with the rise in the price of rice, there will not be much hardship to producers, but wages will generally lag behind prices. This is the experience of the past. There is also a large element of custom in wages.

" On these grounds, I have to disagree with some of the points raised by Sir K. V. Reddi. I agree with him that there must be some sort of control of Burmese imports, but I disagree with him on the objects of the control. Protective duties may be justified

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in regard to various industrial products, and there is a strong case for excluding Burmese imports of rubber from India. But rice is our staple food and stands on a different footing, as I have already said.

“ I am glad to find that I am in agreement with the Government's enunciation of the principle, as explained by the Hon. Sri V. V. Giri. He said that any restriction of Burmese imports would be carried out, consistent with the interests of the consumers. I hope that the agreement will be framed in the interests of the community as a whole and not in the interests merely of the landholding classes of the country. I do not think that this is unfair. I am one of those who have supported a reduction in the heavy tax-burdens of the deltaic areas. That is a reasonable relief; to benefit them at the cost of the weaker sections in the community is not reasonable. The very idea is anti-social.

“ Sir Kurma has quoted many figures to show that year after year Madras is losing large sums owing to the fall in price. This is a curious way of estimating losses. If we lose as sellers of rice, we gain as buyers of everything else, because the general price-level has gone down. Of course there was an inconvenience at the beginning when the prices suddenly fell heavily, but that phase has passed away. Many of the losses mentioned by Sir K. V. Reddi are imaginary.

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p.m. “ The duty of the Government is clear. Firstly, we must find out what shortage of rice there is from year to year. Next, we have to see whether this shortage can be made up by expanding cultivation or increasing the yield from the existing rice lands. The Government have therefore to take urgent steps in this direction. It is believed that we have fresh areas to be exploited. Some time ago, a committee of the Provincial Economic Council, now defunct, went into the question and found that there are several thousands of acres of land which can be exploited. But I fear that the development of such resources has been neglected. We must push on much more vigorously with our efforts at increasing production. The interest of the rural population consists in expanding output and cheapening the costs of production. By increasing the yield per acre we can make up for the low prices. The idea of manipulating prices is illusory, whether it be by means of currency devaluation or by any other means. Low prices are only comparative. If the price of every commodity is low nobody loses anything thereby. It is only when one commodity alone goes up in price that difficulty arises. Rather than worry about prices, let us think seriously about increasing production, so that we may have sufficient rice for our home consumption. Then we may proceed to exclude Burma rice altogether.

“ Finally, let me say that the best interests of the country will not be served by altogether excluding foreign rice at this stage. There is a view that when the sellers of rice get higher

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prices the whole rural community will benefit. This is rather illusory, as experience has shown. I can give facts and figures to show that only a small minority of people are interested as sellers of rice; the bulk of people are interested as consumers. I hope that whilst the Government will definitely claim a voice in the making of the agreement with Burma, the Government will also see that the conditions of our large labouring population are not made worse by making foodstuffs dear. Steps should be taken to increase rice production in the interests both of the producers and the consumers and other steps must also be taken in the interests of consumers rather than of producers."

* **SRI K. P. MALLIKARJUNUDU** :—" Mr. President, I have great pleasure in giving my whole-hearted support to the resolution so ably moved by Sir K. V. Reddi. It is a matter of common knowledge that ever since there occurred in 1929 a great event known as the collapse of the Wall Street in the United States of America, the whole world is in the grip of a great depression. It has been observed that one of the ugliest features of this depression is the phenomenal fall in prices. It has also been noticed that this fall in prices is by far greater in respect of agricultural commodities than in respect of industrial products. We are all aware, Sir, that agriculture is the mainstay of our land. Taking into consideration our Province of Madras, you see that our Province is mainly based on the economy of agriculture. Paddy, particularly, is the predominant agricultural product. If we take the figures into consideration so far as our Province is concerned, you find that 30 per cent of the total cultivable area in this Presidency is under paddy cultivation and 45 per cent. of the total food-stuffs is got out of it. It is the bounden duty of the Government as well as the legislators to do what lies in their power to improve the status of the ryot and his economic condition. We all agree that paddy cultivation is not a paying proposition and that the ryots are not able to make both ends meet.

"The question then arises as to how to remedy that defect. There are only two ways of increasing the prosperity of the ryot; one is as suggested by Dr. Thomas, to increase the productivity of land. How can it be done? It cannot be done by the poor ryot as he is situated, because he has no means. We are practically moving in a vicious circle. Unless there is some margin of profit the ryot cannot improve and unless he adopts improved methods of cultivation he cannot get any profits. The vicious circle has to be broken somewhere; otherwise there is no chance for the ryot. If under the existing circumstances it is not possible to increase the production of paddy and improve the condition of the ryot, there is another method by which we can do so. It is by increasing the price levels. Of course I agree that the former method is better. But if it is not possible there is this other method then. It can be done in two ways: one is by the manipulation of

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currency by a well regulated process of inflation which our modern economists call 'reflation.' Unfortunately that is beyond the pale of provincial administration, for our Provincial Government or our Provincial Legislature is not entrusted with the powers of management of the currency. But I would like to suggest some other methods which have the same effect. Ever since I entered the Legislature my mind has been agitated about this problem, and, if I remember aright, I have represented a number of times to the Premier regarding this question. I first thought about the imposition of a heavy sales tax on the imported foreign rice. But I later on found out that there is a constitutional difficulty in respect of that. There is that pernicious section 297 of the Government of India Act which precludes the possibility of adopting this method. We have therefore to go to the Government of India and beg them to take the necessary action. But there again there is the Indo-Burma Trade Regulation Order-in-Council. Our thanks are of course due to the Government of India for their imposing a small duty on the imports of broken rice from Indo-China and Siam. As a result of that we have felt that there is a tangible increase in the price levels of Indian rice. But that is not sufficient. The imports of rice from Indo-China and Siam are very small and they bear a very small proportion to the imports from Burma. You will find from the statistics given by Sir K. V. Reddi that out of the eleven crores worth of rice imported into India from Burma, the share of the Madras Province is something like six crores! Unless we are able to stop or control the imports of rice from Burma there is no chance for our improvement.

"The first duty of the Government of India and the Government of Madras is to see that this Trade Regulation Agreement is put an end to. Of course, as pointed out by the Hon. Minister for Industries, the Government of India are already taking steps in this direction. I do not mind even if the Trade Agreement is scrapped altogether, because on an examination of the balance of trade you find that we import twenty crores worth of goods from Burma, whereas we export only five crores worth of goods. So there is a balance of trade in favour of Burma to the tune of fifteen crores. Taking the whole thing into consideration, I do not think that India will in any way be a loser even if we break off from Burma in this matter of economic trade agreement."

* SRI T. A. RAMALINGAM CHETTIYAR:—"Mr. President, I do not know whether you want to close the discussion to-day."

MR. PRESIDENT:—"We can sit longer than usual, say, till 2-15 or 2-30 p.m. and finish the business."

* SRI T. A. RAMALINGAM CHETTIYAR:—"Sir, I only want to say a few words on account of the arguments that have been advanced by our expert member, Dr. Thomas. Sir, so far as our requirements are concerned, I believe an enquiry was made

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some time back and it was found that we are growing paddy to the extent of about 95 per cent of our requirements. What we wanted was only 5 per cent from outside. Even that it was found that we could raise from the lands brought under cultivation under the Mettur project and the proposed Thungabhadra project, and it was thought that in the course of the next few years Madras would be completely self-supporting. So, this question about the quota will not arise to any practical extent.

“ The second point is this: the import of rice is a matter which will have to be taken into consideration not only with reference to the sale of paddy here but also with reference to the effect it will have even on other crops. Sir, the price has got something to do with the sale of different articles. If rice is cheaper, people who go in for cholam or ragi may not care to purchase cholam or ragi and may prefer to buy rice. The position will be made very much worse and not better. It seems to me this argument that the consumers are to be considered really cuts at the root of the whole problem. I think the old-world economist—you will excuse me for using that word—would have advanced those arguments basing them on the old theory of *laissez faire* and international trade and consumers’ interest which always go together. Sir, those are the words by which the old economists swore and in our school-days we were very much fond of these things and we always said that India did not deserve to live because she could not come up to the economic standard of free competition. Well, those days are gone now. We are all thinking of living and living is considered as much more important than giving adherence to these theories. Every country in the world has changed its views and its practices. Even the greatest adherent of this theory of free trade, consumers’ interest and international trade, like England has changed. She is thinking of imposing quotas and duties, raising prices, giving subsidies and things like that. When that is the case, I am really very much surprised that our friend, Dr. Thomas, should have advised us that we should think of the consumer’s interest and should not think of raising prices.

“ Sir, after all we should realize that it is the producer who gets something for the produce that people can consume in the economic sense. Everyone wants something to live on. If there is no producer or if the producer does not get anything for the produce, the economic theory cannot work. So it is only as a producer that he can contribute to the consumption of goods and if he wants to contribute as a consumer, he can become a consumer only by getting more for his produce. That is a very important matter which, I fear, in our enthusiasm for consumers is generally forgotten. Well Sir, he also says that many of those purchasers are labourers. He forgets once again that whoever is responsible

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for the sale of paddy, it is the landowner who has to pay for the particular labour. Unless he gets a fair price for his crop, he would not be in a position to employ the labour and pay for it. It is only if a fair price is obtained that the labour can be paid and paid decently. So it is in the interest of the very consumer that the producer's interests have to be looked after. It is only by raising the price and giving a decent price that the labourer's interests could be served. So it seems to me that the argument advanced does not take into consideration the vital basis on which it ought to be based. So it comes to this: We have got several sorts of paddy coming from Siam and Burma which compete with our paddy. Not only that. They have got the tendency to compete with the grains like cholam and ragi. For instance the broken rice from Siam in many markets has completely driven out cholam and ragi, because it is cheap. It is also easier to cook. When the day's labour is over, the labourer goes to the shop and purchases something to cook. If it is Siam rice, it is easier for cooking. If it is cholam and ragi, he has to clean and mill it and do the whole thing. To save that labour when the price is low the man goes to the cheap paddy from Burma. In that way many of our grains suffer. We cannot surely forget the interests of the large volume of paddy producers of our country who really form the backbone of agriculture of our Province. If I remember right 15 per cent of the whole of the cultivated area and 50 per cent of the irrigated area are under paddy. To safeguard the interests of such a vast body of people as that and the large body of people who are maintained by that interest it is absolutely necessary that we ought to take adequate steps to safeguard this important industry and the very large volume of people who are employed in it in this Presidency."

* SRI T. C. SRINIVASA AYYANGAR:—"I crave leave only for a few minutes though I have no qualification as an expert to speak on this question. We are dealing with Burma rice and the necessity of restricting imports. I desire to commend to the House one circumstance for its consideration. I do not desire to dogmatize on the subject especially when my friend, Mr. Ramalingam Chettiyar and others are feeling that Dr. Thomas treated the House to old doctrines. Burma until recently was a province of India. Even now there ought not to be any provincial competition within India itself. The separation of Burma has brought about various changes in the legal relationship and in the administrative functions. Except for administrative purposes, for other purposes of a similar nature have Indians ceased to go to Burma, have Indians ceased to hold property there? There are arable lands owned by Indians. The rice produced there is as much that of Indians as of Burmans. What proportion is that of Indians and of Burmans? I believe the proportion of arable lands held by

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Indians is about one-third. (A voice: Indian capitalist.) I know in this Council to-day the big landholder, the capitalist, the man who employs labour are all outcasts. I concede that it is a feeling that is slowly creeping in and it may look unwise to talk on the subject. In view of the very considerable Indian interest in Burma, in regard to the paddy it produces why should they be considered outcasts? I say the Government are bound to consider the circumstances and shape things with reference to them. A very large labour population annually migrates just before the agricultural season and returns after harvest is over. It is a kind of labour migration and it is divided between the Tamil country and the Andhra districts. There is a large Tamil speaking population in the coastal parts of Burma who are settled there and who own agricultural lands. It is not only the moneyed classes who have lands. Other classes also have lands. How they will affect the consumers' interests and the interests of Indians are considerations to be taken into account. You cannot say: 'Why did you go there?' They say: 'Why did you come here?' Is the Council to disown them? I want that they also should be considered."

* THE HON. SRI T. PRAKASAM:—"Sir, I do not want to make any speech on this subject. But I am drawn into this because what Dr. Thomas said has been doubted and questioned. He said that the first duty is to see that the cultivation is extended and the production is increased. Mere attempts to raise the price level without expanding cultivation would put the consumer in a difficult position. It is a perfectly correct proposition. In every country where falling prices were controlled, it was done only by expanding cultivation primarily. It was done so in Italy, it was done so in every other place. But here we have not been able to do it because we have been in a very difficult position, not being quite free to deal with our affairs in the way in which we could. For instance, in Burma the cost of production is very much lower than here. That is why they are able to dump their goods into the market here. The same is the case with regard to the dumping of Japanese goods to the exclusion of even British goods. So the real question is whether this country is able to reduce the cost of production to the same level to which the other countries which are dumping are able to do. For that purpose the only method is to expand cultivation and increase production and then raise the price levels later."

* SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR:—"Mr. President, I think we have travelled far beyond the scope of this resolution for some time. The resolution is only to request the Government of India to communicate the terms beforehand to this Government and to consult this Legislature and to keep certain reserve powers. I must at the outset state that I am in agreement

[Sri N. R. Samiappa Mudaliyar] [9th August 1939]

with the resolution before this House. The statement made on behalf of the Government and the speech made by the Hon. the Minister for Public Information show that the Government are in full agreement with this proposition and we can expect a favourable reply from the Government of India with regard to the present resolution and that they will take the Madras Government into their confidence. They won't do anything without consulting the Madras Government and in their turn the Madras Government will consult both the Chambers of the Legislature. Therefore I do not propose to say anything on its merits now. But my only anxiety is that this question should not be allowed to be decided by the Government of India like the question of the appointment of the Indian Agent in Burma. I hope both the Government and the Legislature will co-operate with each other and give to the ryots of this Presidency the much needed relief. I am in agreement with that portion of the statement of the Hon. Minister for Industries, viz., 'whatever we do should be consistent with the interests of the consumers also.' I am also in agreement with the statement of the Minister for Public Information that along with this question the question of labourers also should be tackled. The Hon. Mover, Sir, complained that the Government of India were not helpful and said that they are not taking the Madras Government's view so far in this matter."

DR. SIR K. V. REDDI NAYUDU :—" I never said that, Sir."

* SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR :—" What about the complaint about the Government of India? "

DR. SIR K. V. REDDI NAYUDU :—" No complaint. It is a request."

* SRI RAO BAHADUR N. R. SAMIAPPA MUDALIYAR :—" If so, I drop it. We are fortunate in having as the present Member in charge of Commerce Department of the Government of India a respected gentleman of this Presidency, one who will be able to correctly appreciate our view point. When I am on the subject, I would like to state that in the past the Members of the Government of India had not been in personal touch with the public opinion of this Presidency by visiting this place as often as possible. I hope that the proceedings of this House will be communicated to the Government of India and that hereafter at least the Members of the Central Government will try to visit our Province and ascertain the real feelings here and not be guided by what they see in the papers. With these few words I support the resolution so ably moved by my hon. Friend, Sir K. V. Reddi Nayudu."

KHAN BAHADUR T. M. MOIDU SAHIB BAHADUR :—" I wholeheartedly support the resolution before the House for two reasons, one economic and the other physical. The economic

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reason is that prices have gone down so low that the position of the agriculturists with all the aid given by the Congress Government, is tottering. The price of paddy has gone down during the last twenty years to such a great extent that all the paddy lands are being converted into pepper or cardamom gardens. In Malabar, within the last twenty years, all except 5 per cent of the lands growing paddy have been put to other uses. Twenty years ago there was twenty times more land under paddy cultivation in Malabar. What is this due to? It is due to the competition of Burma rice which has cut down prices considerably. It is a known fact that Bengal also supplies large quantities of paddy to South India. Now, Sir, we are concerned only with the Madras Presidency. Here, so far as paddy cultivation is concerned, we are in an unsatisfactory condition. Ceylon and Burma are boycotting Indians, Indian trade, Indian labour and everything Indian. We are depending upon Burma rice for our existence. We cannot afford to be without it and Ceylon is dumping coconuts in our Province although the coconut is a very important agricultural produce of Malabar and some other parts. When Manchester and Glasgow were sending here all the cloths necessary for us Indians, the then Congress leaders wanted us to take to khaddar. Why? They wanted to protect the Indians from spending large sums of money on luxuries and costly dresses. They wanted the Indians to lead simple lives and make their purchases from among their own men so that work could be found for their own people. The biggest problem now facing the country is unemployment. We find elderly people simply wasting their time loitering here and there and swelling the crowds that gather at Congress meetings and anti-Congress meetings, demonstrating and crying 'Gandhi-ki-jai' or 'Muslim League-ki-jai.' Why? They have no work. (Laughter) Yes, it is my experience, Sir. In Malabar with all the aid the former Governments were rendering the agriculturists in the shape of tenancy legislation and with all the aid the present Government are rendering in the shape of agriculturists' loans, etc., all the labourers are now taking part in some flag or other demonstrations before meetings or are taking part in hunger-strikes or picketing. They have no work.

"Can they take to agriculture? It does not pay. Why? There is no protection. Instead of giving relief to them in the shape of agriculturists' loans and other things, it would have been a thousand times better, if this Government had taken some protectionist measures against the fall in the price of paddy, etc. What is the plight of Malabar now? Coconut which was selling at Rs. 60 per thousand in the pre-depression days is now sold at Rs. 16 per thousand; pepper which was being sold for Rs. 600 per ton is now available for Rs. 80. In this situation, Sir, it is the

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duty of the Government even to fight for our rights and for independence. (A voice: 'Hear, hear.')

"I find, Sir, that hon. Members referred to the difficult position of the Government of India. It is said that they cannot leave Burma out of account, or India or Japan or even Germany for that matter. If they enter into an agreement with any of these countries, there will be nothing in such agreements giving protection to Indians. Burma is treating Indians with contempt. They want Indians to go away bag and baggage and, curiously enough we have to depend upon Burma rice. And there is the timber trade. Burma is making a good business with India in timber. Why not put an embargo on Burma timber and Burma rice? Not only will it be beneficial to trade . . ."

DR. P. J. THOMAS:—"Will not Malabar starve without Burma rice?"

KHAN BAHADUR T. M. MOIDU SAHIB BAHADUR:—"No. If, as the Hon. the Minister for Revenue said, we begin to have cultivation as the most important occupation of the people of our Presidency, within five years we will be on our legs. I am not asking that an embargo should be placed immediately. We cannot take the initiative in this matter. The Madras Government are powerless. It is the Government of India that must do something.

"Then, Sir, what is the state of health of our people?"

MR. PRESIDENT:—"The hon. Member will please come back to the resolution proper and not dwell on the health of the people."

KHAN BAHADUR T. M. MOIDU SAHIB BAHADUR:—"Sir, if we grow paddy sufficient for our consumption, we can have hand-pounded rice and that will give a lot of work for the unemployed labourers. I commend this resolution for the acceptance of the House."

DR. SIR K. V. REDDI NAYUDU:—"Sir, I do not wish to detain the House long. I find that three Hon. Ministers were pleased to speak on this motion and that the Hon. Mr. Giri and the Hon. Mr. Ramanathan whole-heartedly supported the resolution. I am pleased to find, Sir, that the Hon. Mr. Giri has kindly consented to communicate the proceedings of the House to the Government of India.

"Sir, there are one or two matters which, coming as they did from an expert member, cannot be left unchallenged. (Laughter) I was reading recently a book by a well-known publishing firm which contained the statement that the advice given by scientific

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experts in England—and I take it that this applies to American experts as well—has proved in practice not only useless but even harmful. That is a rather sweeping statement, I agree. But still, Sir, I was not a little surprised when, pleading for the consumer and the labourer, my hon. Friend advanced propositions which even laymen like myself—I was only a Physics student and cannot understand Economics, I admit—with our experience and ordinary commonsense, can dismiss as untenable. My hon. Friend, Mr. Ramalingam Chettiyar has answered most of it and I wish to say something only about the labourers and the consumers. The consumers' protection has always been, I thought, upheld by the bureaucrats of this country whenever the country sought protection in the Legislative Council. (A Voice: 'Which bureaucrat?') White bureaucrat. (Laughter) I have not yet come to the brown bureaucrat. These bureaucrats always express sympathy for the consumers, especially when cotton products from Manchester which were intended to be imported here came under discussion. Quite recently too, when the question came with reference to the cotton yarn and there was so much dispute in the Legislative Assembly, the Indians voted for protection and the European members and the Government blocks voted the other way. (Sri T. A. Ramalingam Chettiyar: 'Fighting for the consumer?') Let us leave the consumer alone. Evidently my hon. Friend has not noticed that sentence in my first speech where I pointed out that 80 per cent of the population of this country live in rural areas and that 70 per cent of the population live by land. It means that they are not all landowners. They are landholders, tenants, labourers and other persons who assist in the cultivation. All of them depend upon the price of paddy.

"The second point raised by my hon. Friend was that the labourers were one-third of the population. He asked, how are they to maintain themselves? There is a fallacy in the argument. In the first place, instead of depending upon Malabar or Travancore experience, if he had experience of the Godavaris, Kistna and so on . . ."

DR. P. J. THOMAS:—"Why mention only deltaic areas Sir?"

DR. SIR K. V. REDDI NAYUDU:—"I am speaking of people who have experience of my district. The hon. Member has not got experience of my district. You find there that in many places the wages are paid in grain. Even where it is not paid in grain, lower wages are paid when the price of paddy is low and higher wages when the price is high. This shows, Sir, that the labourers stand to gain by the rise in the price of paddy. In 1920 and in 1929 we were paying Re. 1 for a male labourer

[Dr. Sir K. V. Reddi Nayudu] [9th August 1939]

and 12 annas for a female labourer when they were engaged for harvesting and so on. But to-day we are paying 8 annas and 6 annas, respectively, i.e., 50 per cent less.

“Sir, there is another thing to which reference was made by an hon. Member. As the matter is important, it will bear repetition. Now that the price of paddy has fallen, you do not find any house-building in the villages and no works of improvement on the land are undertaken. This is so, because there is nothing in their hands for people to build houses with. One direct consequence of this is that the village carpenter is out of work and the village labourer is out of work. Hundreds of people who for various purposes are dependent upon cultivation are jobless altogether. In the circumstances I do not think it will be seriously contended by my hon. Friend that this unemployment would not be relieved a bit by a rise in the price of paddy. I wish to add in this connexion that it is not my intention in bringing forward this motion to be retaliatory. This motion has not the least connexion with the treatment which our people are said to be receiving in Burma. This resolution is based purely on the economic condition of our people. I have not said one word about the treatment our people have received in Burma.

2-30
p.m.

“There was some reference made by the Leader of the Opposition to the Members of the Government of India. When protection was given to wheat, it was Sir George Rainey who was the Commerce Member, if I am not mistaken. And of course there was my esteemed friend, the genius, the late Sir Fazli Hussain who practically conducted the administration of Bengal and Delhi. These two gentlemen gave support to wheat. I am not complaining when I said that they gave protection to wheat and sugar. I know that it was not possible for the Government of India to give protection to rice at that period. Burma was part of India and under the Act there could not be any inter-provincial duties. (An hon. Member: ‘But now?’) Now, I agree that we have not come to that stage. We got the Order-in-Council only three years back. They could not interfere. And I could not lay my complaint with the Government of India. I only say, ‘you have extended that principle to those two products. Extend it to this.’ It is fortunate that an esteemed citizen of our Province, the Hon. Sir A. Ramaswami Mudaliyar is in charge of this very portfolio, and we have no reason to think that he will not help us.”

THE HON. SRI C. RAJAGOPALACHARIAR:—“He may try his luck now.”

DR. SIR K. V. REDDI NAYUDU:—“Because it is luck, Sir, to do something for one’s own Province.

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“ Well, Mr. President, there may be one or two other points but I do not propose to go into them. I am really thankful to the Hon. Minister and the members of the House for the support they have given to this resolution. I do not generally resort to questions or resolutions. For two years, I introduced only one resolution and that was not very satisfactorily supported, from my point of view. But this is a matter for gratification and I am really thankful to them.”

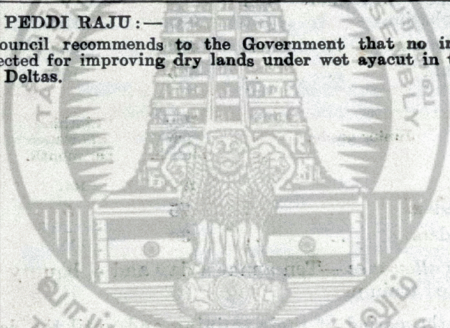
The motion was put and carried.

MR. PRESIDENT;—“ The hon. Member Sri Peddi Raju is not in his place. The resolution^a standing in his name is therefore deemed to have been withdrawn.”

The House then adjourned *sine die*.

^a SRI P. PEDDI RAJU :—

This Council recommends to the Government that no inclusion fees shall be collected for improving dry lands under wet ayacut in the Godavari and Kistna Deltas.



வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

[9th August 1939]

APPENDIX I.

[Vide answer to unstarred question No. 2 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 9th August 1939, page 117 supra.]

Statement showing the salaries and allowances of the officers in the Indian Territorial Force.

Pay and allowances, when gazetted as officers :—

Senior grade.			Pay per month.	Camp allowance per month.	Total.
			RS.	RS.	RS.
Second Lieutenant	(on	..	385	150	535
probation)	..	..			
Lieutenant	..	..	435	150	585
Captain	..	..	625	150	775
Junior grade.			Pay per month.	Clothing allowance per month.	Total.
			RS.	RS.	RS.
Jamadars	..	..	75	5	80
Subadars	..	..	130	5	135

Messing allowance.—Ten annas a day and a bounty of Rs. 30 for completed training.

During the period of their training and until the date of their appointment as second Lieutenant or Jamadar as notified in the Gazette, they will receive pay of Rs. 16 per month as an ordinary private: they will be styled as probationary senior or junior grade officers, and will be required to live in the officers' mess, senior or junior grade, as the case may be.

Outfit allowance.—On being commissioned an outfit allowance of Rs. 300 and Rs. 160 is given for the purchase of uniform for senior grade and junior grade officers respectively.

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APPENDIX II.

[Vide item III (1) at page 117 supra.]

L.A. BILL No. 18 OF 1939

(As passed by the Assembly)

A Bill further to amend the Madras Co-operative Land Mortgage Banks Act, 1934, for a certain purpose.

WHEREAS it is expedient further to amend the Madras Co-operative Land Mortgage Banks Act, 1934, for the purpose hereinafter appearing; It is hereby enacted as follows :—

Madras Act
X of 1934.

1. This Act may be called the Madras Co-operative Land Mortgage Banks (Amendment) Act, 1939. Short title.

Madras Act
X of 1934.

2. After section 29 of the Madras Co-operative Land Mortgage Banks Act, 1934, the following section shall be inserted, namely :— Insertion of new section 29-A in Madras Act X of 1934.

“ 29-A. (1) Subject to such restrictions, limitations and conditions as may be prescribed, the Registrar and persons subordinate to the Registrar who are authorized by him in this behalf by general or special order in writing, and such other persons, being officials engaged in the relief of rural indebtedness or officers of co-operative banks which are registered or deemed to be registered under the Madras Co-operative Societies Act, 1932, as the Provincial Government may, by notification in the *Fort St. George Gazette*, authorize in this behalf, shall have the same powers as are vested in a Court under the Code of Civil Procedure, 1908, when trying a suit, in respect of the following matters, namely :— Power to summon witnesses and requisition documents.

Madras Act
VI of 1932.

V of 1908.

(a) enforcing the attendance of any person and examining him on oath or affirmation;

(b) compelling the production of documents; and

(c) issuing commissions for the examination of witnesses.

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- (2) Any of the officers or persons authorized by or under sub-section (1) may require any person present before him to furnish any information or to produce any document then and there in his possession or power.
- (3) Any officer or person before whom any document is produced under sub-section (1) or sub-section (2) shall have power to take, or to authorize the taking of, such copies of the document or of any entries therein as such officer or person may consider necessary. Copies so taken shall, when certified in such manner as may be prescribed, be admissible in evidence for any purpose in the same manner and to the same extent as the original document or the entries therein, as the case may be.
- (4) (a) Any person who wilfully or without reasonable excuse disobeys any summons, requisition or order issued under sub-section (1) or sub-section (2), shall be punishable with fine which may extend to fifty rupees, and in the case of a continuing disobedience with an additional fine which may extend to five rupees for every day during which such disobedience continues after conviction for the last such disobedience.
- (b) No Court inferior to that of a Presidency Magistrate or a Magistrate of the first class shall try any offence under clause (a).
- (c) Every offence under clause (a) shall, for the purposes of the Code of Criminal Procedure, 1898, be deemed to be non-cognizable.
- (d) No prosecution shall be instituted under clause (a) without the previous sanction—
- (i) of the Registrar in case the summons, requisition or order alleged to have been

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disobeyed was issued by the Registrar or any person subordinate to him or by any officer of a co-operative bank; and (ii) of the Collector of the district in other cases.

Such sanction shall not be given without giving the party concerned an opportunity to be heard.

(5) The Provincial Government shall have power to make rules for giving effect to the provisions of this section."

APPENDIX III.

[Vide item III (2) at page 118 supra.]

L.A. BILL No. 19 OF 1939.

(As passed by the Assembly)

A Bill further to amend the Madras Commercial Crops Markets Act, 1933, for certain purposes.

WHEREAS it is expedient further to amend the Madras Commercial Crops Markets Act, 1933, for the purposes hereinafter appearing; It is hereby enacted as follows:—

Madras Act
XX of 1933.

1. This Act may be called the Madras Commercial Crops Markets (Amendment) Act, 1939. Short title.

Madras Act
XX of 1933.

2. In clause (iv) of section 2 of the Madras Commercial Crops Markets Act, 1933 (hereinafter referred to as the said Act), after the word and figure "section 4", the words, figure and letter "as altered by the notification or notifications, if any, under section 5-A" shall be added. Amendment of section 2, Madras Act XX of 1933.

3. (1) In section 6 of the said Act, for clause (iv) of sub-section (1), the following clause shall be substituted, namely:— Amendment of section 6, Madras Act XX of 1933.

"(iv) four shall be persons elected from among themselves by—

(a) persons licensed under section 4, and

(b) buyers, sellers, and buyers and sellers in the notified area of the commercial crop or of any of the commercial crops concerned, registered as such under the rules prescribed in that behalf for a period of not less than one year."

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(2) In the same section, in the first proviso to sub-section (2), after the expression " clause (iii) ", the expression " or clause (iv) " shall be inserted.

Insertion of
new section
11-A in
Madras Act
XX of 1933.

4. After section 11 of the said Act, the following section shall be inserted, namely:—

Levy of
subscription
for
market
reports, etc.

" 11-A. The market committee may, subject to such rules as may be made in this behalf, levy a subscription for collecting and disseminating among the subscribers, information as to any matter relating to crop statistics or marketing in respect of the commercial crop or any of the commercial crops concerned."

Amendment
of section
13, Madras
Act XX of
1933.

5. In section 13 of the said Act—

(i) in clause (viii), the word " and " at the end shall be omitted; and

(ii) clause (ix) shall be renumbered (x) and after clause (viii), the following clause shall be inserted, namely:—

" (ix) schemes for the extension or cultural improvement of the commercial crop or crops concerned within the notified area, including the grant, subject to the approval of the Provincial Government, of financial aid to schemes for such extension or improvement within such area, undertaken by other bodies or individuals; and "

Amendment
of section
18, Madras
Act XX of
1933.

6. In sub-section (2) of section 18 of the said Act, after clause (iv), the following clause shall be inserted, namely:—

" (iv-a) the maximum rates of subscriptions which may be levied by the market committee under section 11-A, and the recovery of such subscriptions; "

Continuance
in office of
certain
existing
members of
market
committees.

7. Any member of a market committee elected under clause (iv) of sub-section (1) of section 6 of the said Act and holding office at the commencement of this Act shall, subject to the second proviso to sub-section (2) of section 6 aforesaid and the Explanation to that proviso, be entitled to continue to be a member for the remaining portion of his period of office; and nothing contained in the first proviso to sub-section (2) of section 6 aforesaid as amended by this Act shall apply to him.

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APPENDIX IV.

[Vide item III (3) at page 119 supra.]

L.A. BILL No. 20 OF 1939

(As passed by the Assembly).

A Bill further to amend the Madras City Municipal Act, 1919, for a certain purpose.

WHEREAS it is expedient further to amend the Madras City Municipal Act, 1919, for the purpose of providing for the reconstitution of the council of the Corporation of Madras once in every three years; It is hereby enacted as follows:—

1. This Act may be called the Madras City Municipal (Amendment) Act, 1939. Short title.

2. The term of office of the councillors and aldermen who under the Madras City Municipal Act, 1919 (hereinafter referred to as the said Act) will vacate their offices at noon on the first day of November 1939 shall extend instead, up to noon on the first day of November 1940 and the term of office of the councillors who under the said Act will vacate their offices at noon on the first day of November 1941 shall expire instead at noon on the first day of November 1940; and the provisions of the said Act as amended by sections 3 and 4 of this Act shall have effect accordingly. Certain councillors and aldermen to vacate office on 1st November 1940 instead of on 1st November 1939 and 1st November 1941.

3. In section 28 of the said Act—

- (i) in sub-section (1), clause (c), and the word “and” occurring at the end of clause (b) shall be omitted, and at the end of clause (a) the word “and” shall be inserted; and
- (ii) in sub-section (3), for the expression “clause (c)”, the expression “clause (a)” shall be substituted.

Amendment of section 28, Madras Act IV of 1919.

4. In sub-section (1) of section 56-C of the said Act, for the first sentence beginning with the word “Vacancies” and ending with the words “as councillors on the said day”, the following sentence shall be substituted, namely:—

Amendment of section 56-C, Madras Act IV of 1919.

“Vacancies arising by efflux of time in the office of aldermen shall be filled by election at a meeting of the persons who on the first day of November on which such vacancies will arise will enter upon office as councillors.”

Madras Act
IV of 1919.

Madras Act
IV of 1919.

[9th August 1939]

APPENDIX V.

[Vide item III (4) at page 129 supra.]

L.A. BILL No. 21 OF 1939.

(As passed by the Assembly)

A Bill further to amend the Madras City Municipal Act, 1919, the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920, for certain purposes.

WHEREAS it is expedient further to amend the Madras City Municipal Act, 1919, the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920, for the purposes hereinafter appearing; It is hereby enacted as follows:—

Madras Act IV of 1919.
Madras Act V of 1920.
Madras Act XIV of 1920.

Short title.

1. This Act may be called the Madras City Municipal, District Municipalities and Local Boards (Amendment) Act, 1939.

Amendment of sections 59 and 101, Madras Act IV of 1919.

2. In the Madras City Municipal Act, 1919—

Madras Act IV of 1919.

(i) in section 59, the second proviso to clause (c) of sub-section (2) shall be omitted; and

(ii) to section 101, the following proviso shall be added at the end, namely:—

“Provided that nothing contained in clauses (a), (c) and (e) shall be deemed to exempt from property tax any building or land for which rent is payable by the person or persons using the same for the purposes referred to in the said clauses.”

Amendment of sections 43, 83 and 303, Madras Act V of 1920.

3. In the Madras District Municipalities Act, 1920—

Madras Act V of 1920.

(i) in sub-section (2) of section 43, for the last sentence, the following sentence shall be substituted, namely:—

“Each of the other wards shall return such number of members (whether one or more) as may be notified by the Provincial Government.”;

(ii) in sub-section (1) of section 83—

(1) clauses (c), (d) and (e) shall be relettered (g), (h) and (i) respectively, and for clauses (a) and (b), the following clauses shall be substituted, namely:—

“(a) places set apart for public worship and either actually so used or used for no other purpose;

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(b) choultries for the occupation of which no rent is charged and choultries the rent charged for the occupation of which is used exclusively for charitable purposes ;

(c) buildings used for educational purposes including hostels, public buildings and places used for the charitable purpose of sheltering the destitute or animals, and libraries and playgrounds which are open to the public ;

(d) such ancient monuments protected under the Ancient Monuments Preservation Act, 1904, or parts thereof as are not used as residential quarters, or as public offices ;

(e) charitable hospitals and dispensaries ;

(f) such hospitals and dispensaries maintained by railway administrations as may from time to time be notified by the Provincial Government ; ” ; and

(2) after clause (i) as so relettered, the following proviso shall be inserted, namely :—

“ Provided that nothing contained in clauses (a), (c) and (e) shall be deemed to exempt from property tax any building or land for which rent is payable by the person or persons using the same for the purposes referred to in the said clauses.” ; and

(iii) in sub-section (2) of section 303, the second proviso to clause (b) and the word “ and ” at the end of the first proviso shall be omitted.

4. In the Madras Local Boards Act, 1920—

(i) for clause (b) of sub-section (2) of section 22-A, the following clause shall be substituted, namely :—

“ (b) When the office of president of a panchayat is vacant and there is either a vacancy in the office of vice-president or the vice-president has been continuously absent from

Amendment of sections 22-A, 47, 49, 99 and 199, Madras Act XIV of 1920.

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jurisdiction for more than fifteen days or is incapacitated, the prescribed authority shall appoint a person to convene a meeting for the election of a president. The person so appointed shall convene a meeting for such election, and notwithstanding anything contained in this Act or in the rules or notifications issued thereunder, shall preside at the meeting so convened and have all the powers of the president of the panchayat in relation thereto, except that he shall not have the right to vote at the election. Where any person has been appointed as aforesaid, no other person shall be entitled to convene or conduct a meeting for the election of a president.

Until a new president or vice-president is elected and assumes office, or the vice-president returns to jurisdiction or recovers from his incapacity, as the case may be, a member of the panchayat appointed by the president of the district board shall, subject to the provisions of the preceding paragraph and to such further restrictions, limitations and conditions, if any, as the Provincial Government may by general or special order lay down, exercise the functions of the president of the panchayat.” ;

- (ii) in sub-section (2) of section 47, for the last sentence, the following sentence shall be substituted, namely :—

“ Each of the other circles shall return such number of members (whether one or more) as may be notified by the Provincial Government.” ;

- (iii) in sub-section (2) of section 49, for the last sentence, the following sentence shall be substituted, namely :—

“ Each of the other wards shall return such number of members (whether one or more) as may be notified in the manner aforesaid by the Provincial Government ” ;

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(iv) in section 99—

(1) clauses (c) and (d) shall be relettered (g) and (h) respectively, and for clauses (a) and (b), the following clauses shall be substituted, namely :—

“(a) buildings set apart for public worship and either actually so used or used for no other purpose ;

(b) choultries for the occupation of which no rent is charged and choultries the rent charged for the occupation of which is used exclusively for charitable purposes ;

(c) buildings used for educational purposes including hostels and for libraries which are open to the public, and public buildings used for the charitable purpose of sheltering the destitute or animals ;

(d) such ancient monuments protected under the Ancient Monuments Preservation Act, 1904, or parts thereof as are not used as residential quarters or as public offices ;

(e) charitable hospitals and dispensaries and other buildings exclusively used for charitable purposes ;

(f) such hospitals and dispensaries maintained by railway administrations as may from time to time be notified by the Provincial Government ;” ; and

(2) after clause (h) as so relettered, the following proviso shall be inserted, namely :—

“ Provided that nothing contained in clauses (a), (c) and (e) shall be deemed to exempt from house-tax any building for which rent is payable by the person or persons using the same for the purposes referred to in the said clauses.” ; and

(v) in section 199, the second proviso to clause (b) of sub-section (2) shall be omitted.

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FOURTH SESSION OF THE FIRST LEGISLATIVE COUNCIL.

7TH, 8TH AND 9TH AUGUST 1939.

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